THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, 20th December 1954.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER :—" It appears that we would not be in a position to finish the Bill before us to-day itself. If we are not in a position to finish the Bill to-day itself, the House will sit tomorrow also. In case we meet tomorrow, the House will sit from 10 a.m. to 1 p.m. and from 2-30 to 5 p.m.

" I also wish to inform the House that to-day from 2-30 p.m. to 3-30 p.m. the hon. Member Sri Gopalan's motion for a one-hour debate about the wages of beedi workers will be taken up. But I should like also to inform hon. Members that this is an unusual concession that I am allowing. The usual procedure is to take up such motions at the end of the day. To-day, however, I have allowed this concession because the Hon. Minister concerned has some other work to attend to in the evening and he will not be in a position to reply to the debate if it is taken up at the end of the day. Therefore this should not be taken as a precedent to be followed hereafter."

THE HON. SRI C. SUBRAMANIAM :—" In view of this arrangement I would like to know whether we sit till 5 o'clock or till 6-30 in the evening? "

MR. SPEAKER :—" I do not know, but I am at the disposal of the House. Whatever is the wish of the House I am prepared to accept."

SRI M. KALYANASUNDARAM :—" It was understood that this one hour would be given at the end and the House would sit till 6 p.m."

MR. SPEAKER :—" I have no objection.

" If we sit tomorrow also, the general discussion of the Bill will be taken up to-day and the clause by clause consideration will be taken up tomorrow.

" Let us now take the questions relating to the Hon. Minister for Agriculture as he has some other engagement to attend to."

[20th December 1954

Sinking of tube wells.

* 470 *Q.*—SRI K. ARANGANATHAN : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) the total number of tube wells so far sunk by the Government in this State; and

(*b*) the total cost of the same?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) One well has been sunk at Government cost.

" (*b*) Rs. 27,000."

SRI K. ARANGANATHAN :—" May I know, Sir, where the well has been sunk? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, one tube-well has been sunk for irrigation purposes in Kondur village in Cuddalore taluk, South Arcot district."

SRI V. BALAKRISHNAN :—" Are the wells sunk on a district-war basis as promised by the then Government, Sir? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, about the sinking of tube-wells at Government cost, there was a scheme to sink 120 wells in the various districts. But the Government of India, when asked, did not agree to bear a subsidy of 50 per cent. They suggested that the scheme may be undertaken on a co-operative basis, in which case we would be entitled to a subsidy of only 12½ per cent. This Government thought that that scheme would not be feasible and therefore they have not proceeded with it."

SRI M. PALANIYANDI :—" இந்தக் குழாய்க் கிணறு வழியாக எத்தனை எக்கராக்களுக்கு தண்ணீர் பாய்ச்சப்படுகின்றன என்று சொல்ல முடியுமா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice."

SRI S. PANCHAKSHARAM :—" Will the Hon. Minister be pleased to tell me the depth of the tube-well? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would again like to have notice, Sir."

SRI A. GOVINDASWAMI NAYAGAR :—" இந்தக் குழாய்க் கிணறு நல்ல முறையில் பயன்படுமானால் மற்ற கிராமங்களுக்கும் இத்திட்டத்தை விஸ்தரிக்க சர்க்கார் முன்வருவார்களா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, Government have been examining a scheme to extend it to other districts and areas."

SRI S. R. ARUMUGHAM :—" கனம் முதல் மந்திரி அவர்கள் கோயம்பத்தூர் ஜில்லாவில் சுற்றுப்பிரயாணம் செய்தபோது கோயம்பத்தூர் ஜில்லா பஞ்சப்பிரதேசமாக இருப்பதால் அங்கு குழாய்க் கிணறுகளை வெட்ட

20th December 1954]

முதல்சலுகை கொடுப்பதாகச் சொன்னார்கள். அதைப்பற்றி சர்க்கார் ஏதாவது முடிவுசெய்திருக்கிறதா ? முடிவு செய்திருந்தால் எப்பொழுது கோயம்பத்தூர் ஜில்லாவிலும் குழாய்க் கிணறுகளை வெட்டுவார்கள் ? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already answered, Sir, that the scheme has not yet been finalized."

SRI K. VINAYAKAM :—" Sir, is it not a fact that the well said to have been sunk in that village is not being used and is not functioning? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am sorry, Sir, I have no information."

SRI G. GOVINDAN :—" கனம் சபாநாயகர் அவர்களே, தண்ணீர் வசதியில்லாத ராமநாதபுரம் ஜில்லாவில் குழாய்க் கிணறுகள் அதிகமாக வெட்ட சர்க்கார் ஏற்பாடு செய்வார்களா என்று கேட்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, when the scheme is finalized, Ramanathapuram district will be given due consideration."

SRI K. R. NALLASIVAM :—" தமிழ் நாட்டில் எந்தெந்த ஜில்லாக் களில் இந்தக் குழாய்க் கிணறுகள் வெட்டமுடியும் என்பதுபற்றி சர்க்கார் ஏதாவது பரிசீலனை செய்ததா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, Government have examined it but I do not have the data with me just now."

SRI K. PARTHASARATHY :—" Will the Hon. Minister be pleased to state the amount that is charged for irrigating one acre of land from the tube-well? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, the water charge varies from Rs. 15 to Rs. 16 per acre depending on the nature of the crop raised and the rate that has been fixed for irrigation from these wells."

Iron-ore deposits in Karuvarakkundu, South Malabar.

* 471 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have conducted any investigation regarding iron-ore deposits found in Karuvarakkundu at Chembanukkunnu in Ernad taluk, South Malabar; and

(*b*) if so, with what result?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) & (*b*) No. Sir. The investigation of the area is, however, proposed to be undertaken by the Geological Survey Department of the Government of India during the current field-season."

SRI K. P. GOPALAN :—" Are the Government aware of the fact that the local people who are manufacturing pig iron for the last so many years have stopped manufacturing it as a result of 11 10 a.m.

[20th December 1954

competition from the Scrap Iron Merchants' Association? If so, will the Government be pleased to depute a Geologist as soon as possible to make an enquiry into the matter and ascertain whether good iron can be manufactured in the locality."

THE HON. SRI M. BHAKTAVATSALAM :—" A Geologist has already been deputed to go into the question and the Government will give effect to the recommendations of this officer during the current field-season."

Relief to the fishermen in the West Coast.

* 472 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have taken any statistics regarding the acute unemployment now prevailing among the fishermen in the West Coast; and

(*b*) the relief measures taken by the Government?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) No statistics have been taken regarding the unemployment position among the fishermen of the Malabar district. But in view of certain representations received regarding the distress prevailing among them in the matter was enquired into by the Collector of Malabar and the enquiry showed that there is distress to some extent among the fishermen all along the Malabar Coast due to the poor catches of fish during the rainy season. This, however, appears to be a normal affair almost every year.

" (*b*) A sum of Rs. 5,940 has been distributed to the deserving fishermen families out of the allotments to the Malabar district from the State Famine Relief Fund and Prime Minister's National Relief Fund for thatching their huts. The Government further authorized the Collector of Malabar to utilize a sum of Rs. 4,020 available with him from the State Famine Relief Fund for giving financial help for the deserving fishermen families for thatching their huts and also for supply of free midday meals to the fishermen children studying in the Fisheries Schools in Malabar district to the extent possible."

Agricultural statistics in Malabar.

* 473 *Q.*—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) how far the pilot scheme of collecting agricultural statistics in Malabar has progressed; and

(*b*) whether the Government will be pleased to place the details on the table of the House?

20th December 1954]

THE HON. SRI M. BHAKTAVATSALAM :—" (a) There is no such scheme in Malabar district. But a scheme for conducting a survey of the pepper crop in the West Coast is under the consideration of the Government.

" (b) In view of the answer to clause (a) of the question this does not arise."

Issue of licences for opening new rice mills.

* 474 Q.—SRI M. NARAYANAN NAMBIAR : Will the Hon. the Minister for Agriculture be pleased to state with reference to the answers to the supplementary questions to question No. 385, answered on 26th March 1954—

(a) whether the Government have arrived at any decision regarding the issue of licences to rice mills; and

(b) if so, what it is?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) & (b) At present there is no ban on the issue of licences for opening of new rice mills or the expansion of the existing rice mills in this State. The question whether a ban could or should be imposed for the sake of encouraging hand-pounding of rice is under the examination of the Planning Commission and the All-India Khadi and Village Industries Board. The Government of India have also appointed a Committee to examine in detail the various problems connected with the milling of rice. The State Government will take necessary action after considering the results of these enquiries."

SRI M. NARAYANA KURUP :—" May I know how many new licences have been granted by this Government in a year?"

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice, Sir."

Development of village ghanis.

* 475 Q.—SRI M. NARAYANAN NAMBIAR : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have any scheme for the development of village *ghanis;* and

(b) if so, whether a copy of the same will be placed on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) Yes, Sir.

" (b) The details of the scheme are briefly as follows :—

' It has been proposed to set up 30 demonstration *chekku* centres in select National Extension Service and Community Project Blocks. Each centre will be a combined production and training centre. Seven hundred and fifty oil mongers will be trained in the use of the improved Wardha type *chekkus* during the next year. The scheme includes

[20th December 1954

provision for payment of stipends to trainees and for the conversion of the old-type *chekkus* into the Wardha-type *chekkus*. The total estimated cost of the scheme is Rs. 1,87,500 non-recurring and Rs. 1,69,536 recurring. The proposal is under the active consideration of the Government.''

SRI S. RAMALINGAM :—'' Sir, in the original question the word *ghanis* has been mentioned but in the answer of the Hon. Minister the word *chekkus* has been mentioned. I do not understand what these two terms mean? ''

THE HON. SRI M. BHAKTAVATSALAM :—'' *Chekku* is செக்கு in Tamil.''

Shifting of the headquarters of the Agricultural Demonstrator, from Palladam to Tiruppur.

* 476 *Q.*—SRI S. R. ARUMUGHAM : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) the reasons for shifting the Agricultural Demonstrator's Office from Palladam to Tiruppur in Coimbatore district; and

(*b*) whether any representation was made to the Government to re-shift the same to Palladam and if so, the action taken thereon?

THE HON. SRI M. BHAKTAVATSALAM :—'' (*a*) The headquarters of the Agricultural Demonstrator was shifted by the Director of Agriculture from Palladam to Tiruppur as the latter place was more convenient from the administrative point of view.

'' (*b*) The Government have not received any representation.''

Appointment of village guides.

* 477 *Q.*—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) how many village guides were recently appointed by the Government; and

(*b*) their functions and qualifications?

THE HON. SRI M. BHAKTAVATSALAM :—'' (*a*) One hundred and five Village Guides were recently appointed.

'' (*b*) The principal role of the Village Guide is to energise the life of the Village Community which has generally become stagnant and unresponsive to any change from the traditional pattern. His job is to get the villagers to think and talk about their problems, needs and desires. He should inspire village people to work to live better and also create in them a desire to learn how to live better, by exciting their interest to the findings and recommendation of science. In short the pivot of the Community Project Scheme is the Village Guide.

20th December 1954]

The following qualifications are prescribed for the post of Village Guide :—

(1) A pass in the Matriculation or S.S.L.C. or an equivalent examination. Ex-service personnel who have secured a pass in the Indian Army Special Certificate of Education or Higher Education Test for the (Royal) Indian Navy or Indian Air Force Educational Test for Reclassification to leading Aircraftsman, are also eligible to apply for the posts. Work in a farm for a year or two in the case of ex-service personnel will be considered as a preferential qualification.

(2) The candidates must have completed 21 years of age and should not have completed 30 years of age."

SRI M. NARAYANA KURUP :—" Are the Government aware that these village guides are indulging more in political propaganda than in really guiding these villagers? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Government are not aware of any such thing. But if the hon. Member brings any complaint against any particular village guide or group of village guides to the notice of the Government, they will look into the matter."

SRI S. SWAYAMPRAKASAM :—" The Hon. Minister stated in his answer that village guides are intended to teach people in the villages how to live a better life. May I know whether there is any test to find out whether village guides themselves are living in a better way and in a desirable way? "

THE HON. SRI M. BHAKTAVATSALAM :—" The officers who supervise the work of these guides do look into that aspect of the question."

SRI M. KALYANASUNDARAM :—" இப்பொழுது கிராம சேவகர்கள் என்று சொல்லக்கூடியவர்கள் அகில இந்திய காதி நிலையத்தின் விற்பனை ஏஜெண்டுகளாக உபயோகப்படுத்தப்படுகிறார்கள் என்பது உண்மையா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" I do not know where the hon. Member has come across any village guide who is interesting himself in selling *khadi*. Even if that is so, it is not wrong as this *khadi* is produced by Government."

SRI R. KRISHNASWAMI NAIDU :—" கனம் மந்திரியவர்கள் குறிப்பிட்ட யோக்கியதை யில்லாதவர்களும் முன்னால் இந்த வேலைகளில் அமர்த்தப்பட்டிருக்கிறார்களே, அவர்களின் எதிர்கால நிலைமை என்ன ? அவர்களுடைய பதவிகாலம் நீடிக்கப்படுமா ? "

THE HON. SRI M. BHAKTAVATSALAM :—" When the question of absorbing permanently those people who do not possess all these qualifications comes in, it will be considered whether they have now proved themselves quite fit for this purpose? "

[20th December 1954

SRI A. IYANAR :—" கனம் மந்திரி அவர்கள் சொல்லிய பதிலிலிருந்து 150 பேர் நியமிக்கப்பட்டிருப்பதாகத் தெரிகிறது. அதில் ஹரிஜனங்கள் எத்தனைபேர்கள் என்று அறியவிரும்புகிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" A separate question may be put as regards the number of Harijans working as village guides."

Starting of a sugar factory in Tiruchirappalli district.

* 478 *Q.*—SRI M. KALYANASUNDARAM : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the Government have received any application for a licence for starting an additional sugar factory in Tiruchirappalli; and

(*b*) if so, where it is likely to be located? "

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) & (*b*) Apart from the existing sugar factory at Pugalur, the Government of India have granted a licence for the establishment of a new sugar factory at Pettaivaithalai in Tiruchirappalli district. No applications for starting additional sugar factories in the district have been received."

SRI M. KALYANASUNDARAM :—" அந்த சர்க்கரை ஆலை நிறுவுவதற்கு எவ்வளவு காலம் ஆகும் என்பதைச் சர்க்கார் தெரிவிக்கமுடியுமா?"

THE HON. SRI M. BHAKTAVATSALAM :—" I know that arrangements are being made to install a plant there but I have no information as to when exactly it will start functioning."

Cashewnut plantation in the State.

11-20 a.m. * 479 *Q.*—SRI M. NARAYANAN NAMBIAR : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) the extent of cashewnut plantation in the State in the current year (private and Government); and

(*b*) the annual yield expected?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) The extent is 93,283 acres during the year 1953–54.

" (*b*) The yield is about 6,350 tons in terms of kernel in the same year."

SRI M. NARAYANAN NAMBIAR :—" Sir, in view of the fact that cashewnut is a dollar-earning product of our State and in view of the fact that growers of cashewnut are not getting reasonable prices for their produce, will the Government take suitable steps to see that they (cashewnut growers) get reasonable prices for their produce? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Government are looking into the matter."

20th December 1954]

SRI V. R. NAGARAJAN :—" May I know the total acreage under cashewnut in the district of South Arcot and whether any application has been received by the Government from cashewnut growers in that district for help and encouragement? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, there was a total of 24,145 acres under cashewnut in 1953–54. About 1,720 tons of cashewnut were produced in 1953–54. I have no information whether any applications of the sort referred to by the hon. Member have been received."

SRI S. DAIVASIGAMONEY :—" May I know whether cashewnut is being exported from our State or whether it is being imported into our State from other States? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice."

MR. SPEAKER :—" Questions Nos. 438 to 442 relate to the same subject. I hope the House will have no objection to the Hon. Minister replying to all the questions together."

Police firing at Naduvattam, Malabar.

* 438 *Q.*—SRI K. M. SEETHI SAHIB : Will the Hon. the Minister for Finance be pleased to state—

(*a*) why the Government have not yet published the report of Mr. Sattianathan on the recent police firing at Naduvattam in the Malabar district; and

(*b*) when it is likely to be published?

THE HON. SRI C. SUBRAMANIAM :—" (*a*) & (*b*) As the matter covered by the report is *sub-judice* in the Court of Session, South Malabar Division, the report cannot be placed on the table of the House."

* 439 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state whether the Government have decided to publish the Naduvattam Shooting Enquiry Committee's report?

THE HON. SRI C. SUBRAMANIAM :—" The attention of the hon. Member is invited to the answer given to starred question No. 438."

* 440 *Q.*—SRI K. C. GOPALAN UNNI : Will the Hon. the Minister for Finance be pleased to state—

(*a*) what action the Government have taken or propose to take on the report on the shooting incident at Naduvattam in Malabar district; and

[20th December 1954

(*b*) whether the Government will be pleased to place a copy of the same on the table of the House?

THE HON. SRI C. SUBRAMANIAM :—" (*a*) & (*b*) The attention of the hon. Member is invited to the answer given to starred question No. 438."

* 441 *Q.*—SRI K. KUNHI MOHAMAD SHAFEE : Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether the Government have arrived at any decision on the report of Sri W. R. S. Sattianadhan, I.C.S., about the police firing on 28th March 1954 at Naduvattam, Kozhikode;

(*b*) if so, what those decisions are; and

(*c*) what action the Government have taken in the matter?

THE HON. SRI C. SUBRAMANIAM :—" (*a*) to (*c*) The attention of the hon. Member is invited to the answer given to starred question No. 438."

* 442 *Q.*—SRI T. C. NARAYANAN NAMBIAR : Will the Hon. the Minister for Finance be pleased to state with reference to the answer given to Question No. 973 on 17th May 1954 whether the Government have considered the question of placing the report of Mr. Sattianathan on the Naduvattam firing incident on the table of the House?

THE HON. SRI C. SUBRAMANIAM :—" The attention of the hon. Member is invited to the answer given to starred question No. 438."

SRI K. KUNHI MOHAMAD SHAFEE :—" On a point of order, Sir. My question is distinctly different from the other question and does not relate to a matter which is *sub judice*. My question is whether the Government have arrived at any decision on the report submitted by Sri W. R. S. Sattianadhan, I.C.S.? In answering this question, no reference to any matter pending before the Court is necessary."

THE HON. SRI C. SUBRAMANIAM :—" After disposal of the case, the Government will take a decision on the matter."

SRI K. VINAYAKAM :—" On a point of order, Sir. May I know, if the Hon. Minister is not in a position to enlighten this House with details on a pertinent question relating to a major incident in our State, why all these questions have been put on the list of questions for oral answers to-day? "

MR. SPEAKER :—" The Hon. Minister informed the House that the matter is *sub judice*."

20th December 1954]

Opening of a Medical College at Tanjore.

* 443 *Q.*—SRI S. RAMALINGAM: Will the Hon. the Minister for Health be pleased to state—

(*a*) whether any representation was received by the Government for the grant of permission to open a medical college at Tanjore; and

(*b*) if so, the action taken thereon?

THE HON. SRI A. B. SHETTY :—" (*a*) Yes, Sir.

" (*b*) The matter is under the consideration of Government."

Amalgamation of private bus services into big viable units.

* 444 *Q.*—SRI M. KALYANASUNDARAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(*a*) whether it is a fact that the Planning Commission has suggested to the State Government that in the matter of issuing bus permits, consideration must be given for constituting viable economic units;

(*b*) if so, what action the Government have taken on the suggestion;

(*c*) whether it was placed before the State Transport Advisory Committee; and

(*d*) if so, what their recommendation is?

THE HON. SRI B. PARAMESWARAN :—" (*a*) The Planning Commission recommended in respect of Road Transport Services that it is desirable for the existing private operators' units to amalgamate wherever possible, into big viable units to enable them to achieve better returns and maintain better standards of operation.

" (*b*), (*c*) & (*d*) The Government examined the recommendation of the Planning Commission in consultation with the State Transport Advisory Committee. The State Transport Advisory Committee recommended that each unit of passenger transport should consist of not less than 10 buses; that the existing operators of smaller units should be encouraged to amalgamate voluntarily and that operators with buses nearer the mark of ten should be preferred in the matter of grant of new permits. The Government have accepted the recommendation of the State Transport Advisory Committee and have issued orders accordingly."

SRI S. C. C. ANTHONY PILLAI :—" In cases where small fleet-owners refuse to amalgamate, do the Government contemplate bringing forward legislation to compel them to do so? "

THE HON. SRI B. PARAMESWARAN :—" Not at this stage, Sir. We will have to give a fair trial to the recommendations of the Advisory Committee."

[20th December 1954

Sri M. Kalyanasundaram :—" May I know the number of bus operators who have agreed to amalgamate according to the orders of the Government? "

The Hon. Sri B. Parameswaran :—" The orders of the Government have been recently issued. I have no information in the matter."

Sri R. V. Swaminathan :—" May I know whether the Hon. Minister hopes that there is a possibility of units of small fleet-owners getting amalgamated into one big unit? "

The Hon. Sri B. Parameswaran :—" The Government hope so."

Sri M. Kalyanasundaram :—" May I know, Sir, whether the Government are aware that this policy of the Government will ruin the small operators and squeeze them out of existence? "

The Hon. Sri B. Parameswaran :—" I do not agree with the view of the hon. Member. The hon. Member is also a member of the State Transport Advisory Committee. He was also present when the decision was taken. We hope that it will not crush the small operators."

Sri M. Kalyanasundaram :—" Arising out of the answer of the Hon. Minister, may I know whether it is not a fact that I presented a dissenting minute to the State Transport Advisory Committee's proceedings? May I also know for what reasons the dissenting minute was not circulated? "

The Hon. Sri B. Parameswaran :—" Decisions are taken by the whole Committee. The dissenting minute submitted by the hon. Member to the Committee was considered and then only the above decision was taken."

Sri M. Narayana Kurup :—" May I know whether the Government will give new permits to those bus operators who are willing to operate straightaway with a fleet of ten buses? "

The Hon. Sri B. Parameswaran :—" I will have to examine the question."

Sri V. Balakrishnan :—" May I know whether, in arriving at a decision, the Government take into consideration public interest and public convenience or the profiteering of a few private individuals? "

The Hon. Sri B. Parameswaran :—" Government consider that it will be in the interests of the public if road transport services are taken up by operators who have at least ten stage carriages."

20th December 1954]

Sri S. RAMALINGAM:—" ஸார், ஒன்றிரண்டு பஸ்கள் வைத்துக் கொண்டிருக்கும் முதலாளிகள் சர்க்காருடைய உத்தரவினால் பாதிக்கப் பட்டிருக்கிறார்கள். அதனால், அவர்கள் சர்க்காருக்கு விண்ணப்பம் கொடுத்திருக்கிறார்கள். அதன்மேல் சர்க்கார் என்ன முடிவு எடுத்திருக் கிறார்கள் ? "

The Hon. Sri B. PARAMESWARAN :—" Government have not received any representations till now. They will be considered, if received."

Sri M. PALANIYANDI :—" ஸார், இந்த சிறு மீன்களாகிய சிறு பஸ் முதலாளிகளை பெரிய திமிங்கிலமாகிய பெரிய பஸ்முதலாளிகளுடன் கொண்டுபோய் சேர்ப்பது நல்லதா என்று கேட்கிறேன்."

The Hon. Sri B. PARAMESWARAN :—" The number is restricted to ten."

Electricity schemes under the Five-Year Plan.

* 445 *Q.*—Sri N. K. PALANISAMY : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Electricity schemes under the Five-Year Plan have been finished;

(*b*) how many Engineers were newly taken during 1953–54; and

(*c*) how many workers were retrenched during that year?

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" (*a*) Almost all the generation schemes covered by the First Five-Year Plan have been completed and the target of additional generating capacity set under the Plan, viz., 111,000 K.W., is also expected to be reached before the end of this year with the commissioning of the 15,000 K.W. plant under the Madras II Stage Extensions now under erection. The Transmission Lines and Distribution Scheme and the scheme for acquisition of electricity undertakings are in progress. The Periyar generation scheme has just been started.

" (*b*) Forty-nine—consisting of three Assistant Engineers and 46 Junior Engineers appointed under the emergency provisions.

" (*c*) Four thousand five hundred and sixty-four workers. Of these, more than 2,500 have since been re-employed and the rest will also be absorbed as and when vacancies arise, in preference to new recruits. Workers in the Electricity Department are discharged from service on the completion of the specific works for which they were recruited and they are given preference when new works are taken up, if willing and suitable."

Sri N. K. PALANISAMY :—" ஸார், ஐந்தாண்டு திட்டத்தின் கீழ் பல விஸ்தரிப்பு வேலைகள் நடக்கும்போது பல தொழிலாளர்கள் நீக்கப்படு கிறார்கள். ஆனால் அதே சமயத்தில் பல இஞ்சினியர்களை அதிகப்படுத்திக் கொண்டிருக்கிறார்கள். இந்த மாதிரி தொழிலாளர்களை நீக்கி விட்டு

அதற்கு பதிலாக டெம்பரவரி ஆட்களைப் போடுவதுதான் சர்க்காருடைய கொள்கையா ? அப்படி அல்ல என்று சர்க்கார் உத்தரவாதம் கொடுப்பார்களா ? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I have already stated in my reply that as soon as the works were completed, they were relieved. They will be reabsorbed as soon as fresh works are taken up under the extension schemes."

SRI S. RAMALINGAM :—" ஸார், கிராமங்களில் மின்சார சக்தியை விஸ்தரிப்பதற்கு சர்க்கார் திட்டமிட்டிருக்கிறார்கள். அந்த வேலைகளுக்கு நீக்கப்பட்ட தொழிலாளர்களை துரிதமாக சர்க்கார் எடுத்துக்கொள்ளுவார்களா? அவ்விதம் அவர்களை துரிதமாக எடுத்துக்கொண்டு கிராமங்களில் மின்சாரத்தை விஸ்தரிப்பதற்கு சர்க்கார் முன்வருவார்களா ? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Certainly, when there is work, they will be taken back."

11-30 a.m. SRI N. K. PALANISAMY :—" ஸார், சாதாரணமாக (மதராஸ்) ஜெனரல் எலக்ட்ரிக் கார்போரேஷனில் 1952-ம் வருஷத்திலிருந்து 400 பேர்கள் வேலையிலிருந்து நீக்கப்பட்டிருக்கிறார்கள். அவர்களை மறுபடியும் வேலைக்கு எடுத்துக்கொள்ள மாட்டேன் என்று சர்க்கார் சொல்லுகிறார்கள். அவர்களை வேலைக்கு எடுத்துக்கொள்ளுவார்களா என்று கேட்கிறேன்."

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I have already stated that we would employ them whenever and wherever necessary. But the hon. Member is asking again whether they will be taken. Against what work are they to be taken? If there is work they will be taken, Sir."

SRI T. S. ARDHANARI :—" வேலை இழந்த தொழிலாளிகளுக்கு சர்க்கார் ஏதாவது நிவாரணம் கொடுப்பதற்கு முன்வருமா ? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" No, Sir. There is no such provision for temporary workers."

Water-supply to Turaiyur, Tiruchirappalli district, from the Kasikulam tank.

* 446 *Q.*—SRI P. RANGASWAMI REDDIAR : Will the Hon. the Minister for Health be pleased to state—

(*a*) whether the Sanitary Engineer, Madras, inspected the Kasikulam tank at Turaiyur, Tiruchirappalli district, on 19th February 1954, and advised the Panchayat Board, Turaiyur, to de-silt the said tank, with a view to supply water to the town, from that tank;

(*b*) whether the Sanitary Engineer advised the Panchayat Board to take action urgently, so that the work could be completed ahead of the summer and the supply to the town made available?

20th December 1954]

(c) when the tank was de-silted;

(d) when the tank was put to a full power test for assessing the quantity of the yield from the tank;

(e) the results of the power test;

(f) whether representative samples of water of the said tank were sent to the King Institute, Guindy, for analysis;

(g) if so, when and what is the result of the analysis made regarding the quality of the water; and

(h) why the water-supply is still delayed?

THE HON. SRI A. B. SHETTY :—" (a) Yes, Sir.

" (b) Yes, Sir.

" (c) The work was commenced in the first week of April 1954 and completed in the first week of June 1954.

" (d) The yield test was conducted from 15th August 1954 to 25th August 1954.

" (e) The results have indicated that it will be possible to utilise the tank for supplying an ultimate population of 20,000 at 5 gallons per head per day.

" (f) Yes, Sir.

" (g) In September 1954, the Director of King Institute, reported that the water in that stage was unfit for drinking purposes and that the water could be supplied to the people after necessary treatment.

" (h) The results of the quality and quantity tests have been examined by the Sanitary Engineer and necessary advice is being given by him to the panchayat for preparing plans and estimates for the scheme with Kasikulam tank as source."

SRI P. RANGASWAMI REDDIAR :—" Sir, the answer to (f) regarding the results of the analysis by the King Institute, Guindy, is not clear. May I know what the decision of the Government is in the matter of water-supply? Is the decision to the effect that water-supply should be made at an early date or is it to postpone it?"

THE HON. SRI A. B. SHETTY :—" Sir, I have already stated that the results of the tests have been examined by the Sanitary Engineer and necessary advice is being given by him to the panchayat for preparing plans and estimates for the scheme with Kasikulam tank as source."

Non-inclusion of the residents of the Golden Rock colony in the electoral roll of Tiruchirappalli District Board.

* 447 *Q.*—SRI M. KALYANASUNDARAM :—" Sir, this is the subject-matter of a writ petition before the High Court and thus it is *sub judice.*"

MR. SPEAKER :—" Then I shall pass over this question."

[20th December 1954

Sea erosion in Tellicherry Municipal area.

* 448 *Q.*—Sri K. P. GOPALAN (on behalf of Sri V. R. Krishna Ayyar): Will the Hon. the Minister for Public Works be pleased to state whether the Government have any proposal to take any further measures than that mentioned in answer to question No. 56, dated 17th March 1953, to prevent sea erosion in Tellicherry Municipal limits under any development scheme or otherwise?

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" Only that part of the scheme of construction of a protective wall on the sea coast of Tellicherry which remains to be executed, is under consideration."

Special allowance to Health Inspectors engaged in B.C.G. Campaign in Coimbatore district.

* 449 *Q.*—Sri M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Health be pleased to state whether any special allowances are paid to Health Inspectors engaged in B.C.G. Campaign in Coimbatore district?

The Hon. Sri A. B. SHETTY :—" Yes Sir."

Accidents caused by vehicles on trunk roads.

* 450 *Q.*—Sri A. RATNAM: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(*a*) the number of accidents caused by vehicles on the Trunk Roads of the State during the year 1953–54;

(*b*) the number of persons killed; and

(*c*) whether any State aid has been given to the families of the victims?

The Hon. Sri B. PARAMESWARAN :—" (*a*) 709.

" (*b*) 85.

" (*c*) No, Sir."

Sri A. RATNAM :—" May I know the number of accidents caused by vehicles belonging to the State Transport and vehicles in which Hon. Ministers travelled? "

The Hon. Sri B. PARAMESWARAN :—" A separate question may be put, Sir."

Sri K. P. GOPALAN :—" Are Government aware that on the road leading from Cannanore to Baliapattam, five car accidents took place and as a result five people died, as the drivers of the vehicles were negligent, that no proper enquiry was conducted in these cases and no compensation was paid? "

Mr. SPEAKER :—" That question may be addressed to the Hon. Minister concerned."

20th December 1954]

Hunger-strike by Tamil convicts in Cannanore Central Jail.

* 451 *Q.*—Sri K. C. GOPALAN UNNI : Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether it is a fact that some Tamil convicted prisoners in Cannanore Central Jail in Malabar were on hunger-strike from 12th July 1954, and if so, for how many days ;

(*b*) if so, the reasons therefor;

(*c*) whether the prisoners gave notice of their intention to the Government before they went on hunger-strike ; and

(*d*) if so, what action the Government took to prevent the hunger-strike?

The Hon. Sri C. SUBRAMANIAM :—" (*a*) Yes. For three days.

" (*b*) The convicts resorted to hunger-strike because the Inspector-General of Prisons refused to transfer them to other jails, as requested by them.

" (*c*) No.

" (*d*) In view of the answer to clause (*c*) above, does not arise."

Sri S. RAMALINGAM :—" கைதிகளை அவரவர்களின் சொந்த ஜில்லாக்களிலுள்ள ஜெயில்களில் வைக்கவேண்டுமென்று ஜெயில் கமிட்டி ரிப்போர்ட்டில் சிபார்சு செய்யப்பட்டிருக்கிறது. அந்தப்பிரகாரம் தமிழ் நாட்டுக் கைதிகளை அவர்களது சொந்த நாட்டு ஜெயிலில் வைக்காமல் கண்ணனூர் ஜெயிலில் ஏன் வைத்திருக்கிறார்கள் ?"

The Hon. Sri C. SUBRAMANIAM :—" Sir, we have to take into account the accommodation available in the various jails and according to that we have to distribute the convicted persons."

Sri V. BALAKRISHNAN :—" May I know whether prisoners are convicted in Tamilnad and are transported to jails in Malabar? "

The Hon. Sri C. SUBRAMANIAM :—" They were convicted in the Madras State and they are kept in the Madras State."

Sri K. VINAYAKAM :—" Arising out of the reply given by the Hon. Minister that the availability of accommodation has got to be taken into consideration, while distributing the prisoners, are we to understand that the Tamilnad prisoners under reference did not find a place in Tamilnad jails? "

The Hon. Sri C. SUBRAMANIAM :—" Sir, it is not a question of Tamil prisoners or Canarese prisoners or Malayalam prisoners. They are prisoners of this State. We have, therefore, to take into consideration the entire position and then distribute them in the various prisons."

LEGISLATIVE ASSEMBLY TRUTH ALONE TRIUMPHS

[20th December 1954

Periyaram Sanatorium, North Malabar.

* 452 *Q.*—Sri K. P. GOPALAN : Will the Hon. the Minister for Health be pleased to state—

(*a*) whether the Periyaram Sanatorium Committee, Malabar, applied to Government for a grant for the maintenance of the Sanatorium at Periyaram, North Malabar; and

(*b*) if so, the action taken by the Government in the matter?

The Hon. Sri A. B. SHETTY :—" (*a*) Yes, Sir.

" (*b*) The matter is under the consideration of Government."

Sri K. P. GOPALAN :—" Sir, are Government aware that the sanatorium is in a very pitiable condition for want of finances—and the Hon. Minister knows it very well—and will the Government be pleased at least to subsidise it and grant maintenance allowance so that many poor people who cannot get admission there may get admission in that institution? "

The Hon. Sri A. B. SHETTY :—" Sir, the grant of maintenance allowance will be considered under the Part II Scheme."

Sri T. C. NARAYANAN NAMBIAR :—" Want of funds with the institution has mainly affected the poor people who are admitted in the general wards, and people who deserve admission have to be refused admission. Will Government therefore be pleased to expedite the matter so that more funds may be placed at the disposal of the Committee and more poor people may be benefited? "

The Hon. Sri A. B. SHETTY :—" Sir, I have already stated that it would be considered in connexion with the Part II Scheme."

Nationalization of the Palghat Electrical Undertaking.

* 453 *Q.*—Sri M. NARAYANA KURUP : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have received recently any complaint from Palghat Municipality against the licensee who supplies electricity to Palghat town, Malabar; and

(*b*) if so, the action taken thereon?

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" (*a*) Yes.

" (*b*) The Government have decided to acquire the Palghat electrical undertaking and the licensee has been notified that the undertaking shall vest in the Government on 1st April 1955 under the Madras Electricity Undertakings (Acquisition) Act, 1954."

20th December 1954]

Acquisition of Harijan cheris on private lands in Coimbatore.

* 454 *Q.*—SRI P. G. MANICKAM : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state with reference to the answer given to Question No. 625 on 10th May 1954, the action since taken by the Government to buy or acquire the private lands on which there are 179 Harijan cheris?

THE HON. SRI B. PARAMESWARAN :—" Awards for acquisition of house-sites in two villages in Coimbatore district have been passed. Proposals for acquisition of six Harijan cheris situated on private lands have been taken up by the Collector of Coimbatore. The Collector is investigating the necessity for acquisition of Harijan cheris in Bhavani and Thiruppur taluks. After completing the work in these taluks the Collector will examine the need for acquisition in other taluks."

SRI P. G. MANICKAM :—" கனம் சபாநாயகர் அவர்களே, கோயம்பத்தூர் ஜில்லாவில் இருக்கும் ஹரிஜனங்களுக்கு மனைக்கட்டு வாங்கிக் கொடுக்க சர்க்காரால் ஒதுக்கப்படும் பணத்தில் பெரும் பாகம் செலவிடப்படாமலேயே ஒவ்வொரு வருஷமும் சர்க்காருக்கே திரும்பி போய்விடுகிறது. குறிப்பாக எனது **unstarred** கேள்வி நெ. **19**-க்கு சர்க்கார் கொடுத்திருக்கும் பதிலைப் பார்த்தால் நான் சொல்வதன் உண்மை தெரியும். **1952–53**-ம் வருஷத்தில் ஒதுக்கப்பட்ட பணம் ரூ. **55,900** என்றால் செலவிடப்பட்டது ரூ. **51,989**. ஆகவே பாக்கி **3,911** ரூபாய் சர்க்காருக்கே போய்விட்டது. அதேபோல் **1953–54**-ம் வருஷத்தில் ஒதுக்கப்பட்ட தொகை ரூ. **23,100**. ஆனால் **11,150** ரூபாய்தான் செலவிடப்பட்டிருக்கிறது. பாக்கி ரூ. **11,950** சர்க்காருக்கே திருப்பி விடப்பட்டிருக்கிறது. **1954–55**-ம் வருஷத்திற்கு ரூ. **29,000** ஒதுக்கப் பட்டிருக்கிறதே தவிர செலவிடப்பட்டிருக்கும் தொகை ரூ. **3,960**-தான். மீதி இன்னும் செலவழிக்கப்படவில்லை. ஆனால் இந்த ஜில்லாவிலே **179** சேரிகளிலுள்ள ஹரிஜனங்கள் மிகவும் கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள். மனைக்கட்டுகள் இல்லாமல் அடிமை வாழ்வில் தவித்துக் கொண்டிருக்கிறார்கள். ஆகையால் மீதியிருக்கும் பணம் இவ்வாண்டும் காலாவதி ஆகிவிடாமல் அவர்களுக்கெல்லாம் மனைக் கட்டுகள் வாங்கிக் கொடுக்க சர்க்கார் நடவடிக்கை எடுப்பார்களா ? "

THE HON. SRI B. PARAMESWARAN :—" Sir, land acquisition process is a cumbersome one. We have to go through various stages and special instructions have been issued to the Collectors to expedite action in this matter. If a few thousands of rupees are surrendered, it is not because of want of sincerity or earnestness on the part of the Government to push through the scheme, but it is merely because the sites selected were not suitable for Harijans and due to various other causes also."

SRI S. R. ARUMUGHAM :—" கனம் சபாநாயகர் அவர்களே, மேஜர் பஞ்சாயத்துக்களிலும், முனிசிபாலிட்டிகளிலும் இருக்கக்கூடிய காலிமனைக் கட்டுக்களைக் கோரி ஹரிஜனங்கள் விண்ணப்பம் போட்டால் அந்த மனைக் கட்டுகளை அவர்களுக்கு மார்க்கெட் **value**-க்குக் கொடுக்கவேண்டுமென்று சட்டம் இருக்கிறது. இந்தச் சட்டத்தின் படி ஹரிஜனங்களில் யாரும் மார்க்கெட் **value** கொடுத்து அந்தக் காலி மனைக்கட்டுக்களை வாங்க முன்வருவதாகத் தெரியவில்லை. ஆகையால் சர்க்கார் அந்தச் சட்டத்தை மாற்றி மேஜர் பஞ்சாயத்து, முனிஸிபாலிட்டிகளிலுள்ள பூமிகளையும் மற்ற இடங்களிலுள்ள பூமிகளைப் போலவே கருதி ஹரிஜனங்களுக்கு வழங்க முன்வருமா ? "

[20th December 1954

THE HON. SRI B. PARAMESWARAN :—" I shall have that suggestion examined."

SRI K. R. NALLASIVAM :—" May I know how many *cheris* have been taken up for investigation from Bhavani and Tiruppur taluks? "

THE HON. SRI B. PARAMESWARAN :—" I do not have the information on hand, Sir. If a separate question is put, I shall try to furnish the information."

11-40 a.m. SRI K. T. RAJU :—" கனம் சபாநாயகர் அவர்களே, ஹரிஜனங்கள் வீடு கட்டிக்கொள்வதற்கு புதிதாக நிலம் கொடுக்கப்படவேண்டும் என்ற விஷயம் ஒரு புறம் இருந்தாலும், அதற்கு முந்தி ஏற்கெனவே ஹரிஜனங்கள் சர்க்கார்ப் புறம்போக்கு நிலங்களில் வீடு கட்டிக்கொண்டிருந்தால் அவர்களை வெளியேற்றாமல் இருப்பதற்காவது உடனடியாக சர்க்கார் நடவடிக்கை எடுத்துக்கொள்வார்களா ? "

THE HON. SRI B. PARAMESWARAN :—" Unless it is unauthorized occupation, the Government will see to it that they are not evicted."

SRI S. R. ARUMUGHAM :—" கனம் சபாநாயகர் அவர்களே, ஒவ்வொரு ஜில்லாவுக்கும் ஒவ்வொரு ஹரிஜனநல அதிகாரி இருக்கிறார். ஒவ்வொரு ஜில்லாவிலும் அந்தந்த அதிகாரி சேரிகளையெல்லாம் சுற்றிப் பார்த்து கணக்கெடுக்கும்போது, சில சேரிகள் தனி நபருக்குச் சொந்தமான நிலத்தில் இருக்கின்றன, சில சேரிகள் சர்க்கார் புறம்போக்கு நிலங்களிலும் இருக்கின்றன என்று தெரியவருகிறது. சர்க்கார்ப் புறம்போக்கு நிலங்களைப் பொறுத்தவரையில் ஹரிஜனநல அதிகாரி தாசில்தாருக்கு எழுதினால், தாசில்தாரிடமிருந்து ஒருவிதமான பதிலும் வருவதில்லை. இதுமாதிரி சிக்கல் எங்கள் ஜில்லாவில் இருக்கிறது. ஹரிஜனநல அதிகாரியைக் கேட்கும்போது தங்களிடம் தகவல் கிடையாது என்றும், ரெவினியூ இலாகாவினர் ஒத்துழைப்பதில்லையென்றும் சொல்கிறார்கள். இந்த ஒரு விஷயத்தில் ரெவினியூ இலாகா ஹரிஜனநல இலாகாவுடன் ஒத்துழைப்பதற்கான ஏற்பாட்டை சர்க்கார் செய்வார்களா ? "

THE HON. SRI B. PARAMESWARAN :—" Periodical reports are called for from the Board of Revenue. The Board of Revenue has been submitting reports every three months and we will ask it to submit its reports even earlier if possible. Apart from this fact, Revenue Department people are appointed as District Welfare Officers because, only they know how to work the Land Acquisition Act and they are really cooperating with the Harijan Welfare Department in its work If still, there are any proposals pending implementation, we will issue instructions to expedite them."

SRI K. R. NALLASIVAM :—" சபாநாயகர் அவர்களே, கிராமங்களிலுள்ள நத்தம் புறம்போக்கு நிலங்களில் பல ஹரிஜனங்கள் குடியிருக்கிறார்கள். அந்த நிலங்களை ஹரிஜனங்களுக்குப் பட்டா செய்து கொடுத்துவிட்டால் 'acquire' செய்யவேண்டிய அவசியம் குறைந்துவிடும். அவைகளை ஹரிஜனங்களுக்கு"

MR. SPEAKER :—" ஸ்ரீ K. T. ராஜு அவர்கள் கேட்ட கேள்வி மாதிரியே உங்களுடையது இருக்கிறதே."

SRI K. R. NALLASIVAM :—" நத்தம் புறம்போக்கு நிலங்களை ஹரிஜனங்களுக்கு பட்டா செய்துகொடுப்பதற்கான ஏற்பாட்டை சர்க்கார் செய்வார்களா ? "

20th December 1954]

THE HON. SRI B. PARAMESWARAN :—" This is a question relating to the Coimbatore district. However, every case will be decided on its merits."

SRI M. KALYANASUNDARAM :—" சபாநாயகர் அவர்களே, ஹரிஜன சேரிகள் பல தனிப்பட்டவாகளுக்குச் சொந்தமான நிலங்களில் இருக்கின்றன. அவர்கள் ஹரிஜனங்களை தங்கள் நிலங்களிலிருந்து வெளியேற்ற முயற்சிக் கிருர்கள். சர்க்கார் நிலமாக இருந்தாலும் சரி, தனிபபட்டவர்களுக்குச் சொந்தமான நிலமாக இருந்தாலும் சரி, ஹரிஜனங்களை சேரிகளி லிருந்து வெளியேற்றக்கூடாது என்பதற்காக சென்னை நகரத்தில் உள்ளதைப் போன்ற ஒரு பாதுகாப்புச் சட்டத்தைக் கொண்டுவர சர்க்கார் முயற்சி செய்வார்களா ?"

THE HON. SRI B. PARAMESWARAN :—" That is a general question. It may be raised at the time when discussion on the Budget takes place."

Perfunctory investigation of a murder case at Kottooli, Chevayur firka, Malabar.

* 455 Q.—SRI P. KUNHIRAMA KIDAV : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representations from the public of Kottooli village in Chevayur firka in Malabar, concerning a murder case and also about the neglect of the investigating officials in the matter; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM :—" (a) No, Sir.

" (b) Does not arise."

SRI T. C. NARAYANAN NAMBIAR :—" Are Government aware that one Gopalan, aged 23, was murdered in Chevayur firka, in Kottooli village, and that representations were made to the district authorities in this regard? "

THE HON. SRI C. SUBRAMANIAM :—" The main question is whether representation concerning a murder case was made. Such vague questions cannot be answered. If the hon. Member puts a specific question, it will be answered."

SRI M. NARAYANA KURUP :—" May I know whether representations made to the District Collector will be considered as representations made to the Government? "

THE HON. SRI C. SUBRAMANIAM :—" No, Sir."

* SRI R. KRISHNAN :—" മലബാറിൽ ഇതുപോലെ വളരെയധികം കൊല കേസുകൾ തെളിവില്ലാതെ പോകുന്നതായി ഗവർമ്മെണ്ടിന്നു ആവലാതി കിട്ടിക്കൊണ്ടിരിക്കയാണ്. പോലീസുകാരുടെ കാര്യക്ഷമതക്കുറവോ ഉപേക്ഷയോ ആണ് ഇതിന്നു കാരണം. അതുകൊണ്ട് പോലീസിന്റെ നടപടിയെക്കുറിച്ചു, കേസന്വേഷണം കൂടു കാര്യക്ഷമമാക്കുന്നതിനെക്കുറിച്ചും അന്വേഷണം നടത്താൻ ഒരു കമ്മറ്റിയെ നിയമിക്കുമോ ?

THE HON. SRI C. SUBRAMANIAM :—" It may be translated, Sir."

[20th December 1954

Sri T. C. NARAYANAN NAMBIAR (translation) :—" The hon. Member says that in Malabar so many murders take place that they have often been a subject-matter for discuss on the floor of the House. He asks whether the Government will be pleased to appoint a special officer to enquire into these murder cases and submit a report for taking necessary action."

The Hon. Sri C. SUBRAMANIAM :—" We have got our police officers at various places. They will certainly take action whenever any case is reported to them."

Sri S. DAIVASIGAMONEY :—" Arising out of the answer given by the Hon. the Minister, may I ask whether, in view of the large number of complaints against police officials and in view of the fact that such complaints are usually investigated by the police officers themselves, which is bound to be partial, the Government will consider the advisability of forming a secret service independent of the police to work directly under the supervision of the Hon. the Chief Minister, composed of educated persons belonging to good society? "

The Hon. Sri C. SUBRAMANIAM :—" I do not accept the allegation made that whenever a superior police officer makes an investigation into a complaint against another police officer below him, he is likely to be partial. Apart from that, we have to trust our men. If we have a committee like the one suggested by the hon. Member, we may have to have another committee to supervise its work and thus the process will go on endlessly. So, we have got to trust them and if they go wrong, of course, we will pull them up."

Grant of loan for water-supply to Jayamkondan Panchayat Board.

* 456 *Q.*—Sri K. R. VISWANATHAN : Will the Hon. the Minister for Health be pleased to state—

(*a*) whether the Government have received any application for loan from the Panchayat Board, Jayamkondan, for purposes of water-supply; and

(*b*) if so, the action taken by the Government thereon?

The Hon. Sri A. B. SHETTY :—" (*a*) Yes, Sir.

" (*b*) The matter is under consideration."

Sri K. R. VISWANATHAN :—" In view of the fact that the proposed scheme of water-supply under the local development programme involves a huge expenditure of nearly two lakhs of rupees and in view of the fact that this part of the State has long been neglected with regard to supply of protected water, will the Government consider the advisability of granting the required loan without any objection whatsoever? "

The Hon. Sri A. B. SHETTY :—" The matter has been referred to the Board of Revenue and its remarks are awaited."

20th December 1954]

Irrigation tank for Mangapatty village, Musiri taluk, Tiruchirappalli district.

* 457 *Q.*—SRI P. RANGASWAMI REDDIAR : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the villagers of Mangapatty, Musiri taluk, Tiruchirappalli district, have made any representation to the District Collector and Executive Engineer, Tiruchirappalli, requesting the Government to construct an irrigation tank in their village;

(*b*) whether any investigation was made and any estimate prepared;

(*c*) whether the villagers offered to contribute a portion of the cost of the construction; and

(*d*) if so, at what stage the proposal now stands;

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" (*a*) No representation was made to the District Collector but representations were made to the Executive Engineer and the Superintending Engineer.

" (*b*) A preliminary investigation was made and an approximate estimate prepared.

" (*c*) The villagers did not offer any contribution when making the representations in 1950 and 1952 but it is now reported that the hon. Member has recently written to the Public Works Department saying that the ryots are willing to pay half the cost.

" (*d*) The proposal was dropped as not being feasible due to its prohibitive cost, poor catchment area and poor grow more food value and particularly the fact that it involved the submersion of 150 acres to irrigate 100 acres of land."

SRI P. RANGASWAMI REDDIAR :—" What is the approximate cost of the scheme? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" The cost of the scheme is estimated to be Rs. 1,25,000."

Variation of bus routes.

* 458 *Q.*—SRI V. K. RAMASWAMY MUDALIAR : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether variations of bus routes are given to certain operators in the State?

THE HON. SRI B. PARAMESWARAN :—" The answer is in affirmative. Applications for variation of bus routes are considered by the Transport authorities on merits after following the prescribed procedure and variation is granted if there is need for it in the public interest."

[20th December 1954

SRI V. K. RAMASWAMY MUDALIAR :—" What is the criterion observed in the matter of variation of bus routes? Have Government realized the difficulties of passengers when buses become scarce on account of such variations? "

THE HON. SRI B. PARAMESWARAN :—" Wherever the Government feel that public interests will be best served by variation of the routes, they do it."

SRI V. S. SIVAPRAKASAM :—" Apart from the variation of bus routes applied for by private operators, in how many cases did the Government on their own motion ordered variation of routes in public interests? "

THE HON. SRI B. PARAMESWARAN :—" Government do not order such things on their own motion. They order variations only under the revisionary powers vested in them under section 64-A of the Act, which we have since repealed. Government considered individual cases and whenever they found that it would be in public interests to vary any particular route, they ordered such variation."

SRI R. V. SWAMINATHAN :—" May I ask the Hon. the Minister whether any specific instructions have been given to the Regional Transport Authority and the Central Road Traffic Board to follow a specific policy with regard to variation of bus routes or whether they follow a policy dictated by the whims and fancies of their members? "

THE HON. SRI B. PARAMESWARAN :—" The formalities prescribed under section 57 of the Motor Vehicles Act are being followed in the matter of variation of routes. Routes are extended only when there is need for extension in the interests of the travelling public."

SRI R. V. SWAMINATHAN :—" In that case, may I ask why there is the difficulty that we come across so often—one order is passed by the Regional Transport Authority, another order is passed against it by the Central Road Traffic Board and the Government revise the whole order of the Central Road Traffic Board, all on one application? "

THE HON. SRI B. PARAMESWARAN :—" Sir, these bodies are quasi-judicial bodies. When a person feels aggrieved by the decision of the lower court, naturally he goes up to the court above it and even there if he does not get his grievances redressed or justice rendered to him, he goes in appeal to the highest authority. That is all the procedure laid down in the Act and that is being followed."

20th December 1954]

Producers'-cum-Consumers' Co-operative Societies in Malabar.

* 459 *Q.*—Sri K. MADHAVAN NAMBIAR : Will the Hon. the Minister for Health be pleased to state— 11-50 a.m.

(*a*) whether the marketing societies in Malabar are working at a profit;

(*b*) whether the Government have any proposal to convert the existing Producers'- *cum*-Consumers' Co-operative Societies as such societies on reformation; and

(*c*) the present stage of the settlement of the accounts of the Producers'-*cum*-Consumers' Co-operative Societies with the Civil Supplies Department as a result of decontrol?

The Hon. Sri A. B. SHETTY :—" (*a*) Of the three marketing societies in Malabar only one worked at a profit in the co-operative year 1953–54.

" (*b*) Yes, some of them.

" (*c*) A statement[a] showing the receipt and disposal of claims of Producers'-*cum*-Consumers' Co-operative Societies of Malabar is placed on the table of the House."

Mr. SPEAKER :—" We shall take up the next question also. It is on the same subject."

* 460 *Q.*—Sri K. MADHAVAN NAMBIAR : Will the Hon. the Minister for Health be pleased to state—

(*a*) how many of the Producers'-*cum*-Consumers' Co-operative Societies of Malabar have been reconverted after having been relieved from the ration distribution work due to loss in working or on account of mismanagement;

(*b*) how many have been completely liquidated; and

(*c*) the present stage of the Producers'-*cum*-Consumers' Co-operative Society, Iritty, in Kottayam taluk, after it was relieved from ration distribution work from 1st October 1953?

The Hon. Sri A. B. SHETTY :—" (*a*) Fifteen Producers'-*cum*-Consumers' Co-operative Societies have been converted into other types of societies up to 16th October 1954.

" (*b*) Nine societies have been liquidated up to 16th October 1954.

" (*c*) The Producers'-*cum*-Consumers' Co-operative Society, Iritty, resolved at its general body meeting held on 30th October 1954 to convert itself into a Co-operative Marketing Society. The Deputy Registrar, Malabar North, is taking action to register the necessary amendments to its by-laws."

Sri T. C. NARAYANAN NAMBIAR :—" In answering sub-clause (*a*) of question No. 459, the Hon. Minister stated that only one marketing society was working at a profit and that means that

[a] **Printed as Appendix I on pages 507–508 infra.**

the other two societies were working at a loss. May I know the names of the societies working at a loss and the name of the society working at a profit?"

THE HON. SRI A. B. SHETTY :—"The Palghat Sale Society was working at a profit in the year 1953–54. The Ponnani Taluk Arecanut Marketing Society and the Malabar District Co-operative Purchase and Sale Society were working at a loss in 1953–54."

SRI M. NARAYANA KURUP :—"The statement placed on the table of the House shows that a huge amount of Rupees 51,77,984–11–10 has been outstanding for a long time and I know corresponding amounts are outstanding in favour of Government also. Inasmuch as Government collect 4 per cent interest on the outstanding amount due to them by the societies and do not allow interest on outstandings due to societies, the delay in the settlement of accounts has resulted in huge losses to these societies. Will the Hon. Minister take special and immediate steps to settle these claims?"

THE HON. SRI A. B. SHETTY :—"The Registrar of Co-operative Societies has been asked to go to Malabar and discuss this matter with the concerned persons and come to some conclusion. Dr. K. B. Menon and Sri M. Narayana Kurup will also be invited to participate in that discussion."

SRI K. KUNHI MOHAMAD SHAFEE :—"The statement placed on the table of the House does not show one important item, namely, the compensation to be paid to the Producers'-*cum*-Consumers' Co-operative Societies on account of their storing huge stocks of rice for a long period in 1952–53. On account of the rent paid to the godowns and the interest paid to Government by these P.C.C. societies on the stocks, they have suffered a huge loss. We do not find that item in the statement placed on the table of the House. Will the Government consider the immediate necessity of giving compensation to these societies for the losses suffered by them in regard to the items mentioned by me?"

THE HON. SRI A. B. SHETTY :—"Government will consider the suggestion, Sir."

SRI T. C. NARAYANAN NAMBIAR :—"I shall ask one question by way of clarification, Sir. The Hon. Minister was saying that the Kozhikode Marketing Society was running at a loss? Is it not a fact that Government ordered this society not to advance loans for coffee and is it not a fact that because of this order, the society has suffered a loss? If so, is it not a fact that the loss suffered by the society is due to Government? Are not Government responsible for the same?"

MR. SPEAKER :—"Is this clarification?" (Laughter.)

20th December 1954]

Extension of the supply of electricity in Malabar.

* 461 *Q.*—Sri C. KUNHIRAMA KURUP: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have any schemes for the extension of the supply of electricity in Malabar; and

(*b*) if so, what they are?

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" The attention of the hon. Member is invited to the paper [a] placed on the table of the House."

Sri C. KUNHIRAMA KURUP :—" Are the Government aware that the distance between Badagara and Quilandy is only twenty miles and that extension of electricity will not cost much? By the extension of electricity, Government would be providing electricity to one of the most backward taluk, namely, the Kurumbranad taluk. Will the Government therefore take up the Badagara electricity extension scheme in the near future? "

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" It will be taken up in the order of priority, Sir."

Appointment of a committee to enquire into grievances of bus and lorry operators.

* 462 *Q.*—Sri V. K. RAMASWAMY MUDALIAR: Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether the Government are contemplating the constitution of a committee to go into the grievances of the bus and lorry operators?

The Hon. Sri B. PARAMESWARAN :—" The answer is in the negative."

Second Five-Year Plan for the Madras State.

* 463 *Q.*—Sri K. ARANGANATHAN: Will the Hon. the Minister for Finance be pleased to lay on the table of the House a list of works that have been recommended by the Government for inclusion in the Second Five-Year Plan?

The Hon. Sri C. SUBRAMANIAM :—" The Second Five-Year Plan for the Madras State has not yet been finalized."

Sri K. ARANGANATHAN :—" So far, nothing is known of the investigation regarding the construction of a reservoir for the Sangaraparani River in Gingee taluk in South Arcot district. Will the Government investigate the scheme fully and include it in the Second Five-Year Plan? "

Mr. SPEAKER :—" The hon. Member is going into details."

The Hon. Sri C. SUBRAMANIAM :—" I find there are two projects under consideration so far as South Arcot district

[a] Printed as Appendix II on page 509 infra.

[20th December 1954

is concerned. I do not know whether the project mentioned by the hon. Member is included in them. The two projects under Government's consideration are—

(1) Manimuuthar Nathi Reservoir Project.

(2) Gomugi Reservoir Project.''

Sri R. S. ARUMUGAM :—" இருப்புப் பாதைகள் அமைப்பது சம்பந்தமாக சிபார்சு செய்கிருர்களா ; அப்படியானுல் திருநெல்வேலிக்கும், கன்னியாகுமரிக்கும் இருப்புப் பாதை அமைக்கவேண்டியது மிகவும் அவசியமானது. அதை இரண்டாவது ஐந்தாண்டுத் திட்டத்தில் சேர்கக சர்க்கார் ஏற்பாடு செய்யுமா ?"

The Hon. Sri C. SUBRAMANIAM :—" I am sorry I do not have the detailed information at hand.''

Sri N. MAHALINGAM :—" What is the position that the lignite investigation in South Arcot occupies in the Second Five-Year Plan?"

The Hon. Sri C. SUBRAMANIAM :—" That is under special consideration apart from the Second Five-Year Plan.''

Sri S. SWAYAMPRAKASAM :—" Have instructions been received from the Centre that the State schemes to be included under the Second Five-Year Plan should be finalized and should be sent to them before a particular date?"

The Hon. Sri C. SUBRAMANIAM :—" That matter will come up before the House. After obtaining the views of the House, we would send the list of schemes to the Central Government.''

Starting of an Ayurvedic Research Institute.

* 464 *Q.*—Sri M. PALANIYANDI (on behalf of Sri V. R. Krishna Ayyar): Will the Hon. the Minister for Health be pleased to state—

(*a*) whether the Government have any proposal to start an Ayurvedic Research Institute in the State; and

(*b*) if so, where it is proposed to be located?

The Hon. Sri A. B. SHETTY :—" (*a*) No, Sir.

" (*b*) The question does not arise.''

Number of votes declared invalid in district board elections.

* 465 *Q.*—Sri T. C. NARAYANAN NAMBIAR (on behalf of Sri P. K. Gopalakrishnan): Will the Hon. the Minister for Local Administration be pleased to state the total number of votes invalidated in the recent district board elections in the various districts in the State?

The Hon. Sri S. S. RAMASAMI PADAYACHI :—" A statement [a] is placed on the table of the House.''

[a] Printed as Appendix III on page 510 infra.

20th December 1954]

Operationalt of Road Transport Services by district boards and other local authorities.

* 466 *Q.*—

MR. SPEAKER :—" The hon. Member Sri C. Rajam Ramaswamy is not in his place. The question and answer will be printed in the proceedings."

SRI C. RAJAM RAMASWAMY : Will the Hon. the Minister for Religious Endowments and Transport be pleased to state whether there is any proposal to hand over the operation of Road Transport Services, either for passengers or for goods, to district boards or local authorities?

THE HON. SRI B. PARAMESWARAN :—" The answer is in the negative."

Prosecutions for irregularities in the co-operative institutions in Ramanathapuram district.

* 467 *Q.*—SRI V. BALAKRISHNAN (on behalf of Sri D. K. Raju) : Will the Hon. the Minister for Health be pleased to state the names of—

(*a*) the co-operative institutions in the Ramanathapuram district in respect of which prosecutions have been launched against their office-bearers since 1953 for defalcation and misappropriation of funds;

(*b*) those in which convictions have taken place; and

(*c*) those in regard to which cases are still pending?

THE HON. SRI A. B. SHETTY :—" (*a*) *to* (*c*) A statement[a] is placced on the table of the House."

SRI V. BALAKRISHNAN :—" For how long are the investigations under items 7, 8 and 9 pending, Sir? "

THE HON. SRI A. B. SHETTY :—" I cannot give the information now."

SRI R. V. SWAMINATHAN :—" May I ask the Hon. Minister whether it is a fact that these kinds of misappropriation and defalcation in the co-operative societies in all the districts and particularly in Ramanathapuram, are due to the inefficiency and lack of proper supervision and control by the local authorities? In that case, will the Government come forward to appoint a special officer to investigate into the matter and find out whether these misappropriation and defalcation cases were due to lack of efficiency on the part of officers of these societies? "

THE HON. SRI A. B. SHETTY :—" I have already stated Government propose to appoint a committee to go into the working of the co-operative movement and to suggest such improvements and changes as are found necesary."

[a] Printed as Appendix IV on page 511 infra.

[20th December 1954

12 noon. Sri P. RANGASWAMI REDDIAR :—" Sir, particulars given under column 2 of the printed answer do not show the action taken against the Board of Directors. What is the approximate amount involved in this misappropriation and falsification of accounts? "

The Hon. Sri A. B. SHETTY :—" A separate question may be put, Sir."

Representations from the Tamil students of the Engineering College, Anantapur.

* 510 *Q.*—Sri S. RAMALINGAM : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government have received any representation from 34 Tamil students of the Engineering College, Anantapur, that the half-fee concession and other facilities were withheld and they should be admitted either in the Engineering College at Guindy or Coimbatore; and

(*b*) if so, the action taken thereon?

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" (*a*) Yes, Sir.

" (*b*) The matter is receiving immediate attention. The Andhra Government have been requested to continue the concession to the students of this State studying in the Andhra State pending final decision in the matter."

Sri S. RAMALINGAM :—" ஸார், ஆந்தர சர்க்காரும் இந்த சர்க்காரும் ஒரு இறுதி முடிவிற்கு வருவதற்கு முன்பாக கல்லூரிகளில் அரைச் சம்பளம்கூட கொடுக்க முடியாமல் மாணவர்கள் இருக்கிறபடியால் அவர்களிடமிருந்து சம்பளம் வாங்குவதை ஒத்திவைப்பதற்கு ஆந்தர சர்க்காருக்கு இந்த சர்க்கார் சிபார்சு செய்வார்களா ? "

The Hcn. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" Sir, we have written to the Andhra Government to continue the concession till the entire matter is settled."

Sri K. VINAYAKAM :—" ஸார், கல்லூரி திறந்து எழு மாதங்கள் ஆன பிறகும் இந்த அரசாங்கம் ஆந்தர அரசாங்கத்திற்கு எழுதியும் இன்னும் அவர்கள் தருகிறோம் அல்லது தரவில்லை என்ற முடிவு சொல்லாமலிருக்கிறபடியால் அந்தக் கல்லூரி மாணவர்களுக்கு கஷ்டமாக இருக்கிறது. இந்த விஷயம் இந்த அரசாங்கத்திற்குத் தெரிந்திருந்தும், அரசாங்கம் என் அந்த மாணவர்களுக்கு நேரடியாக பண உதவி செய்யக் கூடாது என்று கேட்கிறேன்."

The Hon. Raja Sri SHANMUGA RAJESWARA SETHUPATHI :—" Sir, that is a different matter. Not having heard from the Andhra Government we cannot do anything, but the suggestion of the hon. Member will be considered in this connexion."

Sri V. R. NAGARAJAN :—" On a point of order, Sir. I would like to know why this House has not been supplied with copies of this question."

(Sri M. Kalyanasundaram and some other hon. Members from the Opposition said that they have received copies of the question.)

20th December 1954]

MR. SPEAKER :—" Copies of the question have already been circulated. Probably the hon. Member was not here at the time when it was circulated. Hon. Members on this side say that they have received the copy of the question."

SRI K. VINAYAKAM :—" Sir, is it not a fact that students belonging to the Andhra area are studying in the Colleges belonging to the Tamil area and that the Government of Madras are giving half-fee concession to such Andhra students? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Yes, Sir, we are continuing the concessions here. That is why we have asked the Andhra Government to continue the concessions there."

SRI V. BALAKRISHNAN :—" Sir, did the representations of these Tamil students contain the very reasonable request that they be allowed and be entitled to receive certificates of the Madras University since they were sitting for the examinations conducted by the Madras University rather than the certificates of the Andhra University which does not examine them finally? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Sir, that is a general question and has to be examined."

MR SPEAKER :—" By whom, the University or the Government? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" It has to be examined by the University."

SRI K. VINAYAKAM :—" The position is this, Sir. Andhra students belonging to the Andhra area studying in Madras area are given scholarships by the Madras Government and not by the Andhra Government whereas Madras students studying in the Andhra area are not only not given scholarships by the Andhra Government but the scholarships are being denied by the Madras Government also. Does this not amount to discrimination against one set of students? Will the Government of Madras take early steps to pay the stipends direct to the students concerned, failing which will they compel the Andhra Government, through the Central Government, to pay them immediately? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Sir, we give the stipends under Rule 92 of the Madras Educational Rules. The Andhra Government have been asked to reimburse it to the students."

SRI K. VINAYAKAM :—" இன்னும் கொடுக்கவில்லையே, ஸார்."

SRI S. SWAYAMPRAKASAM :—" Sir, pending a final decision between these two States, will the Madras Government undertake to send a communication to the Andhra Government that in case they do not give the usual concessions to these students, this Government will be forced to stop the concessions given to the Andhra students here? "

[20th December 1954

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" That will be the natural and equitable way of dealing with the situation."

DR. K. B. MENON :—" Sir, at least in the matter of education, will linguistic barriers be relaxed, concessions allowed and free mixing and mingling of students of different State units allowed and encouraged? "

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" Certainly we want such a kind of atmosphere but it must appeal to the Andhra Government to whom we have made representations."

SRI S. RAMALINGAM :—" ஸார், ஆந்திர சர்க்கார் இந்த விஷயத்தில் ஒரு இறுதி முடிவு எடுக்கும் வரையில் இந்த சர்க்கார் காத்திராமல் மாணவர்களுக்கு பண உதவி கொடுத்துவிட்டு அதன்பின் ஆந்திர சர்க்கார் கொடுத்தால் அதை நேரடியாக வாங்கிக்கொள்ளலாம், கொடுக்கவில்லையென்றால் அதற்குத் தகுந்த நடவடிக்கை எடுத்துக்கொள்ளலாம் என்பதைப்பற்றி இந்த சர்க்கார் ஆலோசிப்பார்களா ?"

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" I have already told that it could be considered, but what is the course of action that the hon. Member suggests? "

Outbreak of cholera in Periya Agraharam village near Erode.

* 510-A *Q.*—

MR. SPEAKER :—" The hon. Member Sri K. T. Raju wants to put a question. The Hon. Minister is prepared to answer it."

SRI K. VINAYAKAM :—" Sir, have we finished the previous question? I request an half-hour debate on that."

MR. SPEAKER :—" I have passed on to the next question. Half-an-hour debate cannot be allowed."

SRI K. T. RAJU :—" கனம் சபாநாயகர் அவர்களே, ஈரோடுக்கு அருகாமையில் பெரிய அக்ரகாரம் என்ற ஒரு கிராமம் இருக்கிறது. அங்கும் அதைச் சுற்றிலுமுள்ள கிராமங்களில் மூன்று தினங்களாக . . ."

SRI S. DAIVASIGAMONEY :—" May I know whether the question to be put by the hon. Member Sri K. T. Raju has been circulated? "

MR. SPEAKER :—" It need not be circulated. It is a very urgent matter. If hon. Members want everything to be roneoed and circulated, I will see that such questions are not put. If the hon. Member wants to stop putting such questions, I have no objection."

SRI K. T. RAJU :—" ஸார், ஈரோடுக்கு அருகாமையிலுள்ள பெரிய அக்ரகாரம் என்ற கிராமத்திலும் அதைச் சுற்றியிருக்கும் கிராமங்களிலும் . . ."

20th December 1954]

MR. SPEAKER :—" நீங்கள் பேசக்கூடாது. கேள்வியாகத்தான் கேட்க வேண்டும்."

SRI K. T. RAJU :—" பெரிய அக்ரகாரம் என்ற கிராமததைச்சுற்றி இருக்கும் கிராமங்களில் காலரா பரவி வருகிறது. அவ்விதம் காலரா பல பேர்களுக்குக் கண்டு சிலர் இறந்து விட்டதாக செய்தி கிடைத்திருக் கிறது. கனம் சுகாதார மந்திரி அவர்கள் இது விஷயமாக எதாகிலும் தெரிந்துகொண்டு எதாவது நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்களா ? இந்த விஷயம் அவருக்குத் தெரியுமா என்பதையும் கேட்க ஆசைப்படு கிறேன்."

THE HON. SRI A. B. SHETTY :—" In the village mentioned by the hon. Member in Erode taluk, there have been three attacks of cholera and three deaths up to 15th December 1954. The District Health Officer and the Assistant Health Officer have visited the place and Health Inspectors have been posted. All necessary action is being taken."

MR. SPEAKER :—" Questions are over."

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—ADJOURNMENT MOTIONS *RE*

(1) CLOSURE OF BHASKAR CIGAR FACTORY, TELLICHERRY AND KADIRUR, NORTH MALABAR.

MR. SPEAKER :—" The hon. Member Sri K. P. Gopalan has given notice of an adjournment motion, which reads as follows :—

'This Assembly stands adjourned to discuss an urgent matter of public importance, namely, the failure of the Government to intervene in the *mala fide* closure of the Bhaskar Cigar Factory, Tellicherry and Kadirur, North Malabar, resulting in the sudden unemployment of 86 workers and the enforced stay-in strike now going on in these factories since 19th December 1954 which causes anxiety to the public.' "

SRI R. V. SWAMINATHAN :—" On a point of order, Sir. Everyday there is an adjournment motion in this House and not a day passes without it. Sir, you were good enough to mention some time ago—I think it was in the previous session—that we must find out a way so that all the motions are not moved here. In the Lok Sabha our Prime Minister mentioned day before yesterday in his speech . . ."

MR. SPEAKER :—" The hon. Member need not mention about that."

SRI R. V. SWAMINATHAN :—" Sir, I want to strengthen my case."

MR. SPEAKER :—" Does the hon. Member want that I should give the ruling in my Chamber? "

[20th December 1954

SRI R. V. SWAMINATHAN :—" Sir, my point is this. You were good enough to mention that you were following the procedure adopted in the House of Commons rather than any other Parliament. Our Prime Minister also pointed out that in the House of Commons hardly two or three adjournment motions are allowed in a year. But in this House two or three adjournment motions are being moved everyday. (Laughter.) My point is that these adjournment motions can also be adjourned to your Chamber for your ruling. We can have them discussed in your Chamber and if the adjournment motion is admitted, we can move it here at the next day's meeting."

12–10 p.m. SRI S. SWAYAMPRAKASAM :—" I rise on a point of order. Sir. Since the hon. Member Mr. R. V. Swaminathan has raised a very good point of order, may I at this stage request Mr. Swaminathan through you, Sir, to exercise his good influence on the Government to see that everything is carried on peacefully so that there may not be any scope for the Members to move adjournment motions? "

SRI K. P. GOPALAN :—" Some hon. Members may think that this is not an important matter. So far as I am concerned, it is a very important matter. When 86 workers are unemployed, it is a very important matter causing anxiety to the people."

MR. SPEAKER :—" So far as the Chair is concerned, the point for clarification is whether this House is the forum for discussing the matter and whether there is no other remedy."

SRI K. P. GOPALAN :—" I am coming to that point. This closure occurred because of certain defects in the Factories Act. If ten or more people work in a factory, that Act is applicable to it. In order to evade the Act, factory-owners divide their factory into different branches so that each branch may have less than ten workers. The Government have not made any provision against such evasion and they have given free scope to the factory-owners to do whatever they like. This is an important matter concerning the labour policy of the Government and the Government alone are responsible for the closure. There is no remedy against this anywhere else."

* THE HON. SRI C. SUBRAMANIAM :—" I do not wish to minimise the importance of the matter. But the question is whether this is a fit matter for an adjournment motion. I respectfully submit that this matter cannot be discussed under an adjournment motion. There are remedies open to the affected parties under the Factories Act. The hon. Member may direct the workers to take proper action."

MR. SPEAKER :—" If the law is defective, this is not the method of dealing with it. There are other remedies open to the workers. So I rule the motion out of order."

(2) PROMULGATION OF ORDERS UNDER SECTION 144, CRIMINAL PROCEDURE CODE, IN TIRUCHIRAPPALLI.

MR. SPEAKER :—" The hon. Member, Sri P. Rangaswami Reddiar, has given notice of the following adjournment motion. In his hurry, he has not written it clearly and I find it very difficult to read :—

' Whereas a drama known as " Valmiki Ramayana " was to be staged by Messrs. Radha and Party at Tiruchirappalli on 18th December 1954, whereas the said drama is not banned so far and whereas orders under section 144, Criminal Procedure Code, have been issued prohibiting the staging of the said drama and the Police had also arrested Mr. M. R. Radha in his residence at 9 a.m. on 18th December 1954 and whereas a situation of unprecedented importance has arisen which is likely to result in grave breach of peace, and commotion, the business of this House do stand adjourned to discuss a definite matter of urgent public importance, namely, the promulgation of orders under section 144, Criminal Procedure Code, at Tiruchirappalli prohibiting the staging of the drama " Valmiki Ramayana " on 18th December 1954, the arrest of Mr. M. R. Radha and subsequent consequences. '

" I wish to know from the hon. Member whether there is no other remedy and whether this House is the place for seeking the remedy."

* SRI P. RANGASWAMI REDDIAR :—" Mr. Speaker, Sir, at the outset I wish to draw the attention of the Government and the hon. Members to the fact that somewhere in 1926 or 1927, an adjournment motion was moved, admitted and discussed in the then Legislative Council with regard to the promotion of a Sub-Registrar overlooking or superseding the claims of some other Sub-Registrars. I will bring the volume and show it to the Speaker. If such a matter could be admitted and discussed under an adjournment motion, I hardly find any justification for not admitting this motion. This is the first time that a situation like this has arisen. Of course here and elsewhere, there are two sections."

MR. SPEAKER :—" Let not the hon. Member go into the merits of the question. Let him convince me that this comes under the rules governing adjournment motions."

* SRI P. RANGASWAMI REDDIAR :—" The privileges and rights of individuals are curtailed by the Executive. In this case, even at the stage of intention, that is, long before the intended act was accomplished, the person was arrested. The drama was to have taken place at 9 or 10 p.m. and long before the scheduled hour, the person was arrested by the Police at his residence."

MR. SPEAKER :—" Then there is a remedy in the Court."

* SRI P. RANGASWAMI REDDIAR :—" Individual rights are curtailed like this. Simply because a man said that he intended to do a certain thing, he was arrested. But he may change his opinion before actually doing the thing. He was not arrested in pursuance of any criminal warrant."

[20th December 1954

MR. SPEAKER :—" Whatever that may be, let us not go into the merits of the question. As soon as a person is arrested, should that matter be brought before this House and all other business adjourned? "

* SRI P. RANGASWAMI REDDIAR :—" My submission is that there is an equal amount of tension on the part of people who want to see the drama. Simply because a handful of elements want to create a breach of the peace, I think the Executive should not interfere. I wish to draw the attention of the Government to the fact that when the same party wanted to stage another drama in Karur in 1952, an order under section 144, Criminal Procedure Code, was promulgated. Mr. M. R. Radha appealed against that order to the High Court. The Judge in his judgment pointed out that the Police should have prevented the unruly and rowdy elements, from whichever party they may come, from doing mischief and that the order under section 144, Criminal Procedure Code, should not have been promulgated. I am not quoting the exact words, but I am giving only the substance of the judgment. That was brought to the notice of the Government in 1952 by me by means of an interpellation. I do not think the Government have either scrutinized the judgment or given any weight to it."

12-20 p.m. SRI S. SWAYAMPRAKASAM :—" Sir, apart from the subject-matter of the motion, one important point to be noted is this. We do not know what happened in Tiruchirappalli. But from the reports in the newspapers we find that Sri M. R. Radha who was to have staged a drama had been arrested. It seems from the newspaper reports that he had given public notice that he was going to break the ban imposed on him. During the night of the particular day he was going to stage a drama which was banned under section 144 of the Criminal Procedure Code by the Magistrate of Tiruchirappalli. He was, therefore, taken into custody early in the morning at 9 o'clock under section 151. Section 151 of the Criminal Procedure Code is a preventive one. Criminal jurisprudence goes to show that a man may announce that he is going to commit a certain offence but in the last minute it is open to him to change his mind and not commit the offence."

MR. SPEAKER :—" All this has to be argued in a Court of Law."

SRI S. SWAYAMPRAKASAM :—" Sir, to-morrow the man may be released. I am certain about that. But if the Government or their officials abuse the provisions of this section, there is no remedy even in a court. If a charge-sheet is filed in the court, then the case can be fought out. But in this case it has not happened. In these circumstances, the matter is very important."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I beg to disagree with the hon. Gentlemen that this is an important matter to discuss which there will be any justification to adjourn the business of this House. The hon. Gentleman Sri Swayamprakasam

20th December 1954] [Sri C. Subramaniam]

was arguing that there was no remedy available. I do not know why he says like that being a lawyer and after having been a Public Prosecutor also. There is a remedy available. If it is a case of illegal detention, one can always go to the court and get an order of release. If it is a case of legal detention, even this House cannot discuss it.

"With regard to the point made by the hon. Gentleman Sri Rangaswami Reddiar, it is only the rowdy elements that the Police are prosecuting and arresting now. Therefore, there need not be any complaint on that score."

MR. SPEAKER :—"There is a remedy for this case outside this House. If, as soon as an arrest is made, it is brought before this House as an urgent matter of public importance to be discussed, I do not think that we will be able to corry on any work here. I must tell the hon. Member Sri Rangaswami Reddiar that there is a remedy available in the court. He can go to a court. Therefore, I rule the motion out of order."

SRI M. PALANIYANDI :—"On a point of clarification, Sir. Simply because a man wants to stage a drama, is he a rowdy in the view of the Hon. the Finance Minister?"

MR. SPEAKER :—"Who said that?"

SRI M. PALANIYANDI :—"The Minister said just now that only the rowdy elements were arrested. Simply because a man wants to stage a drama, is he to be considered a rowdy?"

THE HON. SRI C. SUBRAMANIAM :—"I have no illusions in my mind. If the hon. Gentleman has some illusion, he may clear it himself."

III.—ANNOUNCEMENT BY THE HON. SPEAKER.

MESSAGES FROM THE COUNCIL.

MR. SPEAKER :—"I have to announce to the House that I have received the following messages, dated the 18th December 1954, from the Hon. Chairman, Madras Legislative Council :—

'(1) In accordance with rule 111 of the Madras Council Rules, I transmit a copy of the Indian Bar Councils (Madras Amendment) Bill, 1954 (L.A. Bill No. 47 of 1954), as passed and agreed to by the Council on the 18th December 1954 with no amendment and signed by me.

(2) In accordance with rule 111 of the Madras Council Rules, I transmit a copy of the Mappilla Marumakkattavam (Amendment) Bill, 1954 (L.A. Bill No. 44 of 1954), as passed and agreed to by the Council on the 18th December 1954 with no amendment and signed by me.

(3) In accordance with rule 111 of the Madras Council Rules; I transmit a copy of the Motor Vehicles (Madras Amendment) Bill, 1954 (L.A. Bill No. 45 of 1954), as passed and agreed to by the Council with no amendment and signed by me.'"

IV.—GOVERNMENT BILL.

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954.

* THE HON. SRI C. SUBRAMANIAM :—" Mr. Speaker, Sir, I beg to present the Report[a] of the Select Committee on the Madras Dramatic Performances Bill[a], 1954 (L.A. Bill No. 37 of 1954), and move—

' *That the Bill as amended by the Select Committee be taken into consideration.*'

" Sir, hon. Members are aware of the circumstances in which this Bill was referred to a Select Committee. After hearing evidence and scrutinizing the various clauses of the Bill, many changes have been made in the provisions of the Bill and it is now coming up for consideration before this House. Before I proceed to deal with the various points covered by the Report of the Select Committee and the various changes made in the provisions of the Bill, I would like to clear certain wrong impressions which are being created in the minds of the people. An impression is being created, and propaganda also is being made for that impression being spread, that as far as this Bill is concerned, there is a difference of opinion in the Cabinet and that, particularly, the Hon. the Chief Minister and myself are not seeing eye to eye in regard to this matter. It is an absolutely baseless statement and if hon. Members have any such impression or if anybody outside has any such impression, I want to clear that in the first instance. We are acting as a team and there is no use of setting one Minister against another for one's own purpose. I would have ignored this if this was being done by one particular section of the people alone, but it was being done by many others also, perhaps by some well-intentioned people also. Therefore, I thought that the earliest opportunity should be taken to clear that wrong impression in the minds of the people. In regard to the action taken with reference to the Madurai incident and even the Tiruchirappalli incident, rumours are being spread that the Hon. the Chief Minister is against taking any such action and that it is only the Hon. the Finance Minister that is goading the Government to take this action. Sir, it is not doing justice either to me or to the Chief Minister. The Chief Minister as such has complete control of the administration of the State. To say that I am acting over his head is not fair to him. So also to suggest that I am in a way disloyal to the Chief Minister is unfair to me. Hon. Members know the circumstances under which I entered the Cabinet of Sri Kamaraj Nadar."

* SRI K. VINAYAKAM :—" On a point of order, Sir. What is going on in the House? Is the Hon. Minister moving the Bill for the consideration of the House or is he justifying that there is no split in the Cabinet? We are not interested in all these things. The House is interested in the Bill being moved by the Government. We are not interested in knowing whether there is a difference of opinion between the Chief Minister and the Minister in

[a] **Printed as Appendix V on pages 512–535 infra.**

20th December 1954] [Sri K. Vinayakam]

charge of the Bill, whether they are going to compose their differences and whether they are going to pull their weight jointly. Let the Hon. Minister move the Bill straightway and then justify why it has got to be moved."

Mr. SPEAKER :—" The Hon. Minister is only clearing some doubts."

Sri S. SWAYAMPRAKASAM :—" Sir, if any Member of this House has said anything about the differences of opinion in the Cabinet, then the Hon. Minister would be justified in making the remarks he has been making. But the Hon. Minister is going on saying that there is a rumour and he is replying to rumours. That may not be proper here. I do not think there is any justification for the remarks he has been making."

* The Hon. Sri C. SUBRAMANIAM :—" Sir, I claim to know a little more of parliamentary procedure than the hon. Members."

* Sri K. VINAYAKAM :—" This is an insult to a Member of this House."

Mr. SPEAKER :—" It is not an insult. The hon. Member can claim that he knows better than the Hon. Minister." (Laughter.)

* Sri K. VINAYAKAM :—" I am not going to blow my trumpet."

* The Hon. Sri C. SUBRAMANIAM :—" If he has a trumpet, he will blow it hard. Unfortunately, he has no trumpet to blow. (Laughter.)

" For the purpose of this Bill or for any other purpose, to imagine that the Cabinet is a divided House is perhaps a wishful thinking on the part of certain sections of the people. I want to stress before this House that it is absolutely unfounded.

" It has also been stated that this Bill is being brought before this House not because the Government are anxious to introduce the same, but because there is some extraneous pressure on this Government, and that is why this Bill has been brought forward before this honourable House in such a hurry. For these statements also there is no basis whatsoever. It is merely the imagination of a fertile mind which perhaps thinks that some order has come from somewhere which we are bound to obey. Sir, we are an independent Government. We take our own decision. I must categorically state that this is purely the decision of this Government and so there is no question of any extraneous pressure coming into operation for the purpose of making us bring forward this Bill before this House. 12-30 p.m.

" There is another rumour going about, viz., that certain Ministers are religious-minded and, therefore, they want to protect religion and for this purpose only this Bill has been brought forward. Even if I had no belief in religion and no faith in God,

[Sri C. Subramaniam] [20th December 1954

as an administrator and as a person responsible for the administration of this State I would have been the first person to bring forward this Bill. We are not concerned with either following any set of religion or not following any religion at all. We are also not concerned with doing propaganda in favour of religion or against religion. What we are concerned with here is to have an orderly society and to see that the freedoms guaranteed in the Constitution are properly preserved and safeguarded. Therefore, it is not with a view to protecting religion that this Bill has been brought forward. No Government can protect religion if the people are against it. If the people want religion, nobody can efface religion. As God is omnipotent and omniscient, it is not necessary for any Minister or any Government to protect Him. He will protect himself. So, people need not go under the impression that it is for any such purpose that this Government have brought forward this Bill. When we discuss the clauses, I will explain the scope of the various clauses. For the present, I would like to disabuse the impressions of Members which have been gaining ground with regard to a particular clause, viz., that which deals with religious beliefs and religion.

"Originally, I intended to move a motion with regard to this Bill to take it for consideration straightway without reference to a Select Committee. But, I agreed for referring the Bill to a Select Committee when I came to understand that the dramatic artistes and other persons engaged in the profession had grave misapprehensions with regard to the Bill. Whether those misapprehensions were well-founded or not, myself being responsible to the people, it was my duty to clear those misapprehensions. So, I wanted to give an opportunity to them to put forward their point of view before the Select Committee, so that if there were any grounds for misapprehension those grounds could be easily removed. That is why I was very particular to hear the evidence of those persons who were engaged in the particular profession, viz., the artistes and others. We gave them a full hearing. I am glad to state that after the changes which we have made in this Bill, all those persons who represented the drama artistes have welcomed this Bill. I have received a letter from the Association representing dramatists which is to this effect—

'நாடகக் கழகம்—

திருத்தப்பட்ட நாடக மசோதாவை நாடகக் கழகம் வரவேற்கிறது. நாடகக் கழக நிர்வாகஸ்தர்களின் கூட்டம் 1954ஆம் டிசம்பர்மீ 19உ காலை 9-மணிக்கு நடைபெற்றது.

வந்திருந்தவர்கள்—திருவாளர்கள் என். எஸ். கிருஷ்ணன், டி. கே. ஷண்முகம், டி. என். சிவதாணு, எஸ். வி. சஹஸ்ரநாமம், ஜி. கே. சேஷகிரி, டி. ஸ்ரீனிவாஸ ராவ், நாரண துரைக்கண்ணன், ஜி. கோவிந்தராஜுலு நாயுடு, முதலியவர்கள்.

விசேஷ அழைப்பாளர்கள்—டி. எஸ். துரைராஜ், எம். ஜி. ராமச்சந்திரன்.

பரிசீலனைக் குழுவினரால் ஆராயப்பட்டு திருத்தங்களுடன் வெளி வந்துள்ள நாடக மசோதாவைப்பற்றி செயற்குழுவினர் நன்கு விவாதித்து கீழ்க்காணும் தீர்மானத்தை நிறைவேற்றினர்.'"

20th December 1954]

SRI M. NARAYANA KURUP :—" On a point of order . . . "

THE HON. SRI C. SUBRAMANIAM :—" Let me finish the sentence. Then the hon. Member can raise his point of order.

' தீர்மானம்—

புதிய நாடக மசோதா சம்பந்தமாகப் பரிசீலனைக் குழுவினரின் முன்னிலையில் சாட்சியங் கொடுத்த நாடகக் கழக செயற்குழு உறுப்பினர்கள் எடுத்துக் கூறிய திருத்தங்களில் பெரும்பாலானவற்றை சர்க்கார் ஏற்றுக் கொண்டு திருத்தப்பட்ட மசோதாவை இப்பொது வெளியிட்டிருப்பதால். இம்மசோதாவை நாடகக் கழகம் வரவேற்கிறது.

(கையொப்பம்)

பொதுச் செயலாளர்.' "

SRI M. NARAYANA KURUP :—" I want to know whether the Hon. the Minister for Finance is reading or referring to a document which is before the House."

MR. SPEAKER :—" If the hon. Member wants, it can be roneoed and circulated to the hon. Members."

SRI S. RAMALINGAM :—" கனம் சபாநாயகர் அவர்களே, மலபார் நாடக சமிதி இந்த நாடக மசோதாவை உடனடியாகக் கைவிடவேண்டுமென்று ஒரு தீர்மானம் நிறைவேற்றியிருக்கிறார்களா ? அப்படியானல் அந்தத் தீர்மானத்தையும் கனம் நிதி மந்திரி அவர்கள் இந்தச் சபையில் படித்துக் காட்டுவார்களா ? "

MR. SPEAKER :—" அது உங்களிடமிருந்தால் அதை நீங்கள் படித்துக் காட்டுங்கள். நான் உங்களை அப்படிப்படிக்க அனுமதிக்கிறேன்."

* THE HON. SRI C. SUBRAMANIAM :—" I have not received any other communication from any of the Associations, actors, actresses or anybody else."

MR. SPEAKER :—" The rule is this. When anybody cited a document in the course of his speech in the House, it should be placed on the table of the House if any hon. Member wanted it to be so placed. Only when any hon. Member wants a particular document to be placed on the table of the House, it will be done. If the hon. Members want, the document read by the Hon. Finance Minister will be roneoed and circulated to them."

SRI S. SWAYAMPRAKASAM :—" The Hon. the Minister for Finance is going on saying that his intention and purpose in referring the Bill to a Select Committee was solely to satisfy certain sections of dramatists. In support of his argument that he was able to satisfy those dramatists, he has read a letter also. Members of this House, especially those on this side, wanted that the Bill should be referred to a Select Committee so that the House could be satisfied with regard to the necessity of the Bill. Now, the Hon. the Minister for Finance says that he agreed to refer the Bill to a Select Committee only to satisfy the dramatists. It is rather undesirable and I must take it as an insult to this House."

[20th December 1954

* THE HON. SRI C. SUBRAMANIAM :—" Hon. Members on the opposite side themselves have been putting forward the plea that the artistes and others engaged in the profession ought to be consulted in the matter. The hon. Leader of the Opposition, as a matter of fact, was telling the other day that the association of dramatists and other persons who were engaged in the profession were all opposed to the Bill. This was one of the chief points put forward by the hon. Leader of the Opposition the other day, Therefore, I took note of this aspect of the matter which was put forward by the hon. Leader of the Opposition. How can we go away from the people? After all, we are here for the people and because of the people. Let us not imagine that we are something quite different from the people. It is not as if what we consider or think is the best and we need not take into consideration what other people think about us. We have to think about other people and that alone will be the best way for the effective functioning of this House and it is not proper to merely exclude ourselves completely from the people and insulate ourselves with our own opinions. So, when I referred to that matter, it was because the Government attach particular importance to the views of those people who are likely to be affected by this Bill more than anybody else. The Government are certainly entitled to take note of the views expressed by those who were bound to be affected by any provision of this Bill. Therefore, to say that this is an insult to the House is without understanding what this House is and what the scope of this House is. After all, I was really glad that I was able to satisfy the artistes concerned and other persons vitally concerned in this matter. Also incidentally, I was able to satisfy those hon. Members of the House who stated on the floor of the House that the dramatic artistes and others engaged in the profession were all against the Bill and therefore the Bill should be referred to a Select Committee. Especially the hon. Leader of the Opposition was quite particular and keen that the dramatic art should not be affected and the artistes should not be prejudicially affected by this Bill. He was also very keen that those engaged in the profession should not be prejudicially affected by this Bill. It was a very relevant point. If I have been able to satisfy those people, then it is necessary even for the hon. Leader of the Opposition to revise his views about this matter. That is my earnest appeal to him.

12-40 p.m. " But, Sir, in spite of that his party has represented as if even after the consideration of the Bill by the Select Committee the Bill has not been improved, but that the Bill is a blow against democracy. After all the word 'Democracy' is a much abused word. It can be used for any purpose. 'Democracy and People' used in a certain context would mean only the Communist party. The Communist party always takes the attitude 'We are the people and nobody else can represent the people.' Ultimately it resolves itself into this. Whenever words like people and democracy are used, it ultimately reduces itself to the Communist party and even within the Communist party, a small coterie who take decisions on these matters. Therefore I would appeal even

20th December 1954] [Sri C. Subramaniam]

now to the hon. the Leader of the Opposition and his party to take note of the views I have just referred to. We have sat in the Select Committee and we have tried to make as many improvements in the Bill as possible so that the development of art may not be prejudicially affected. We are all interested, whether we belong to the Communist party or to the Congress party or to any other party, in the development of the arts of our country. If anything would prejudicially affect it, we are bound to take notice of it and see that those things which are likely to create—actually it may not create difficulties but people might feel it is likely to create difficulties—difficulties are removed. That is what we have attempted to do and in that attempt we should say we have succeeded to a great extent. Unfortunately it is not merely the dramatic art as such that is being affected. The opposition to the Bill is not on merits with regard to dramatic performances, but it is a political opposition. It is always the duty of the political opposition—and perhaps it is right too—to try to fish in troubled waters. Therefore whenever an opportunity occurs, it is open to the parties in opposition to exaggerate the difficulties and try to create disaffection against the Government. We are bound to function in that way whenever we function as party Governments. I do not grudge that. The opposition to the Bill therefore should not be placed above this by saying that it is on behalf of the people, that it is on behalf of democracy that they are opposing the Bill. That is what I am objecting to. If it is a political opposition, I can very well understand and appreciate it and I welcome it. But to put it on the high principle of democracy and the interests of the people is trying to mislead the people and trying to mislead this House also.

"Now let me come to the various provisions in the Bill, in which we have made changes and explain for the benefit of hon. Members who were not on the Select Committee, why these changes have been made and for what purposes. The important provisions in the Bill are contained in clause 2, which defines 'objectionable performance.' Under that clause the original item (iii) under sub-clause (1) has been deleted. That related to the incitement of persons to interfere with the supply and distribution of food or other essential commodities or with essential services. In the present context we thought it was not necessary. Perhaps such a clause might be necessary in case of an emergency like war. For that we thought we need not make a provision here. Even when I moved this Bill for reference to Select Committee, I indicated that, and so we have now removed it.

"The two other items which were most controversial were the original items (v) and (vi), the present items (iv) and (v). The present item (iv) as it originally stood referred to fomentation of class hatred between the various sections of the people of India. It was couched in too wide terms. I gave an indication regarding this also even when I moved that the Bill be referred to a Select Committee. Now we have confined it only to 'incite any section of the citizens of India to acts of violence against any

[Sri C. Subramaniam] [20th December 1954

other section of the citizens of India.' Therefore that is limited only to incitement to violence against any particular section of the people. I am sure this would be welcomed by all hon. Members of this House.

" Then, Sir, I will take up item (v) which is a little more important, because of the various views expressed on this item, namely, that in the guise of protecting the feelings of the religious minded people this should not be taken advantage of for the purpose of completely shutting out anti-religious propaganda, propaganda against religions and against God. Sir, as far as I am concerned, I am of the view that complete freedom should be given for all persons to propagate and to observe their own religious faiths as also freedom for others to propagate that people should not believe in religion and that they should not believe in God. In these matters complete freedom should be given. And this is guaranteed in the Indian Constitution under freedom of opinion and expression.

" Sir, in this connection I may tell hon. Members that I have absolutely no ill-will or ill-feelings against those people who want to preach against God and against religion because I can very well understand their point of view. After all it is only a very few who know the 'Truth'. Therefore there should be propaganda for both points of view. Ultimately truth will prevail. For the purpose of arriving at the truth it is necessary to argue both sides of the case. We cannot shut out one side and arrive at the truth. Even from the point of view of religion and even from the point of view of the search for truth, it is necessary to give freedom to put forward the various points of view. Therefore, Sir, I am not against propaganda in favour of anti-religion, or anti-God. But I think, in this, we have to observe certain restraints because in doing so we should not try to wound the feelings of others, wound the feelings of others not in the sense, simply because I believe in God or I believe in religion but another person preaches against religion and against God, he is wounding my feelings. That is not the thing. If hon. Members would permit me to make a comparison or give an illustration for this purpose, I would like to give the one which I gave before the Select Committee. Suppose I do not like Communist party principles. If I do not like them, certainly, it is open to me to go out and do propaganda against communism and their principles and ask them to accept my points of view. For that purpose should I denounce or defame Marx, who founded communism? Should I slander Lenin or Stalin and all those people who worked for the propagation of communism? It is absolutely unnecessary. Communism is being glorified by certain sections of the people and communism has been established and has been worked out by Marx, Lenin, Engels and Stalin and all others. If I want to attack communism, should I have freedom to attack the founders of the principles of communism and all those people who worked for the establishment of communism? That would be going a little too

20th December 1954] [Sri C. Subramaniam]

far. That is my honest opinion. Hon. Members should differentiate between the two, to slander accepted leaders, accepted characters who are held in high esteem, who are held as Godly by certain sections of the people is quite different from doing propaganda against religion as such or against God as such. As I pointed out doing propaganda against communism is quite different from slandering all those people who believed in communism now or who worked in the past for the establishment of communism.

" Therefore, Sir, if we are able to have this difference in mind, I have absolutely no doubt that every section of the people will have complete freedom to enact any drama they like, to do any propaganda they like but subject to this limitation. After all the people who propagate anti-religion say that their propaganda is based upon reason whereas religion is based upon emotion. If their views are based upon reason why should they not reason it out with people and say these are the things to which we are opposed and to which people should not give their adherence and all that? Is it necessary for the purpose of establishing that there is no religion, to appeal to emotion by decrying, by defaming the characters? I say it is absolutely unnecessary. I may tell hon. Members who have particular objections to this that it is not the intention of the Government to ban anti-religious or anti-God propaganda. But such propaganda should not be done by defaming and slandering other people which is likely to arouse the emotion of people. If arousing the emotion of the people would not lead to any harmful result we can ignore it. But there are others, just as the Communists hold in high esteem, Lenin, Stalin and Marx, as persons of extraordinary merit, who hold some characters as Gods and as heroes. Should we go and defame such characters? That is the main thing which hon. Members should bear in mind in considering this sub-clause.

" Therefore, we have purposely redrafted the orginal sub-clause (vi) as sub-clause (v). According to the original sub-clause as it stood, even a mere anti-religious propaganda or anti-God propaganda would come within its mischief and that is why we have now provided in the present sub-clause (v) that a performance can be called ' objectionable ' only if it is deliberately intended to outrage the religious feelings of any class of the ctizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class. Therefore, we have further restricted it, so much so that unless it is deliberately intended to outrage the religious feelings of any class of the citizens of India, it will not come within its mischief. If that is not the deliberate intention, it will not come within its mischief. 12-50 p.m.

" Then, sub-clause (vi) is a non-controversial clause, to which no particular objection was taken by any hon. Member. It is an ordinary provision in any ordinary criminal law or in any Press law or in any other law.

[Sri C. Subramaniam] [20th December 1954

" We again thought there should be a proper explanation—Explanation I—so that a mere incident here or there should not make a dramatic performance objectionable. Certain scenes might be enacted for the purpose of carrying force to a particular argument and that particular scene or particular incident should not be taken into consideation for the purpose of finding out whether a drama is objectionable or not. That is why the original Explanation has been redrafted as follows :—

'A performance shall not be deemed to be objectionable merely because in the course thereof words are uttered, or signs or visible representations are made, expressing disapprobation or criticism of any law or of any policy or administrative action of the Government with a view to obtain its alteration or redress by lawful means.'

So also Explanation II, which is an important Explanation, has been redfafted as follows :—

'In judging whether any performance is an objectionable performance the play, pantomime or other drama sha l be considered as a whole.' (And not any particular incident or any particular scene here and there.)

Therefore, hon. Members need not go under the impression that under this clause any particular type of propaganda will be put down. It is only when it crosses the limit and when it is likely to affect the other people concerned, the Government will come into the picture. They have to hold the scales even between believers and non-believers. But non-believers cannot claim a privilege as against believers. Believers have got every right to ask people to believe in religion or God as non-believers have got every right to ask the people not to believe in religion or God. Both have got to be protected. Therefore, for the purpose of seeing that, in this process, there is no unnecessary conflict between one section of the people and another, we have to enact a law to solve the conflict. Sir, we are engaged in building up our country. Our energies should not be dissipated by feelings of hatred or acts of hatred by one section as against another section of the people. So the Government have got to see that these conflicts do not arise and one section is not set up against another section of the people and our energies are not dissipated in these unnecessary and unwanted controversies. Therefore, it is not a case of Ministers believing or not believing in God. We have to view all these aspects from the Government point of view. It is not the intention of the Government to ban, under this guise, any particular type of propaganda unless it comes specifically within the mischief of the clause, viz., 'trying to incite people to acts of violence or trying to wound the feelings of a particular section of the people in the cause of Art.'

" Sir, particular objection was taken with reference to the punishment provided for an objectionable performance when it has not been already prohibited. We gave considerable thought to this matter. After all, the Indian Penal Code provides punishment for offences already committed. The Dramatic Performances Bill is brought forward for the purpose of preventing certain things taking place. If any objectionable thing has been done or

20th December 1954] [Sri C. Subramaniam]

enacted on the stage, it comes under penal provisions and straightaway action can be taken under the Indian Penal Code for that particular offence before any court of law. Therefore, it was thought that it was not necessary to have the original clause 3. Particularly the attention of the Select Committee was drawn to the fact that that clause was too wide and anybody could be punished for the performance of an objectionable performance, not only the owner of the theatre and principal actors but also even persons who in anyway lend any help by even drawing the curtain. So, we have removed that clause altogether.

" With regard to power to prohibit objectionable performances, we have also made a slight change in sub-clause (2) of clause 3 which now runs as follows :—

'No order under sub-section (1) shall be passed without giving a reasonable opportunity to the organizer or other principal persons responsible for the conduct of the performance . . .'

Even in the original sub-clause as it stood, there was provision that a reasonable opportunity should be given to the party concerned to explain himself before a particular performance is declared to be objectionable. As far as clause 3 is concerned, this is the only change.

" Then, I come to clause 4 which gives power to prohibit objectionable performances temporarily. In the original clause 5 it was stated that either the Government or any authority who may be authorized by the Government could take action for the purpose of temporarily prohibiting an objectionable performance. A representation was made with some force that if that original clause was left as it stood, it was likely to lead to harassment by all sorts of officers and therefore a high-placed official alone should be authorized in this behalf and it should not be left to the Government to decide the matter. That is why we have said in clause 4 that as far as the districts are concerned, the District Collector is authorized in this behalf. So far as the Madras City is concerned, the Commissioner of Police who exercises the powers of a District Collector as far as prohibitory orders are concerned, is authorized to issue the prohibitory order. Not only that. We have also further restricted the power to prohibit an objectionable performance. Only if the District Collector or in the City the Commissioner of Police is of the opinion that a particular performance comes within the purview of an objectionable performance as defined in clause 2 and is likely to lead to a breach of the peace, then alone he can issue the order under the existing clause 4. Sir, in this connection, certain arguments were advanced, namely, why should there be a special law for dramas alone and are not the provisions of other laws sufficient for the purpose of prohibiting objectionable performances? The hon. Leader of the Opposition also pointed out that even in the case of the Press, only after there were three or four instances of the publication of objectionable matters, there was prosecution or security was asked to be deposited. I would like to point out the essential difference between the drama and the Press. After all, a drama is not a sudden thing which is

[Sri C. Subramaniam] [20th December 1954

being enacted on the stage. Dramas have to be written first. Then the question, what is the drama to be enacted, has to be decided. Then come the characters who enact the drama, the persons concerned memorizing their respective parts. So, long before a
1 p.m. dramatic performance is enacted on the stage, details like the script of the drama, the names of actors and actresses who have to take part in it, what part each actor or actress has to play on the stage, etc., are all settled and, therefore, there is no question of doing things in a hurry by the organizers of a drama. When the organizers of a drama publish that they are going to enact a drama, the script of the drama is ready, the actors and actresses taking part in it are ready and the place where the drama is going to be enacted is also settled, and unless something occurs in between, they are bound to stage the drama. That is the essential difference between the commission of an offence under this Bill and the commission of any other offence or even publication of some objectionable matter in a daily newspaper. In a newspaper the same matter cannot be published again and again. If a newspaper does not publish a thing on the same day it occurs, it ceases to be a newspaper; it will become a historical matter. Long before the enactment of a drama everything is settled and it should be possible to decide whether it is an objectionable performance or not. If a particular drama that is going to be enacted is objectionable, there is certainly nothing wrong in prohibiting it. This essential difference should be borne in mind by persons who take objection to the fact why dramas which are objectionable alone should be prohibited whereas other offences are not prohibited even before commission. We have got powers to deal with other offences also. Considering the nature of the drama, pantomime or other dramas, there is nothing wrong in prohibiting what will admittedly be an objectionable performance. That is the justification for this new clause 4 wherein we have given powers to certain authorities to prohibit objectionable performances. Even that prohibition is limited to a period of two months. Even though a dramatic performance is objectionable, if it is not likely to lead to a breach of the peace, it does not come into the picture at all. There are two conditions to be satisfied, namely, that it should be objectionable and there should be a likelihood of a breach of the peace. Supposing an ordinary drama which is not objectionable is enacted and if people were to create disturbances, certainly with reference to that, action cannot be taken under clause 4. Therefore, clause 4 will come into operation when these two essential conditions, namely, that the dramatic performance comes within the definition of an 'objectionable performance' given in clause 2 and that it is likely to lead to a breach of the peace are satisfied. In such cases, Government have got to intervene and protect the people.

"Clause 5 relating to 'service of order of prohibition' deals with procedural matters. Clause 6 deals with 'penalty for disobeying orders referred to in section 3 and section 4'. Some hon. Members of the Select Committee thought that six months' imprisonment provided for in the original Bill was a little bit long. In

20th December 1954] [Sri C. Subramaniam]

the original Bill the amount of fine also was not specified. The period of imprisonment has been limited to three months and the amount of fine to be levied to Rs. 1,000. Amendments carried out in clause 7 are only consequential.

"Clause 9—Power to call for purport of drama—Has also been criticised. In the dissenting minutes it has been stated that all dramas are likely to get into difficulties. It is only when there is suspicion that it is an objectionable drama, the authorities as the State Government may empower on their behalf, may call for such information as they may think necessary. Within seven days, such authorities will have to give a decision whether it is objectionable or not. I am sure this matter—whether a drama is objectionable or not—will be carefully gone into and the authorities passing the orders will have to put in writing the grounds on which their suspicion is based. Only under these circumstances can a script be called for and even in cases where a script has been called for, orders will have to be passed within a period of seven days. Those who have criticised these provisions are only exaggerating the difficulties. These clauses are not going to be used for the purpose of seeing that particular dramas are not enacted. It is only in very exceptional cases where there is reason to believe that a particular drama is very objectionable, that the script will be called for. In other cases, we have to wait till the drama is enacted and then find out what the subject-matter of the drama is and whether any further action has to be taken. In extreme cases, it may be necessary to call for information even beforehand. It is only for that purpose that this clause has been provided.

"Clause 10 relates to appeal to the High Court. We have provided that every appeal shall be heard by a Bench of not less than two Judges. At one stage, I thought whether the appeal should not be preferred by the Government on a communication by the party affected. I also thought that that would be more advantageous to the parties concerned. But on a further consideration of the matter, I came to the conclusion that such an arrangement would be restricting the scope, and remedies; the parties affected might not be available immediately. If such a provision is not made in the Bill, notice will have to be given first to the Government by the party affected that they object to the order. Then the Government should consider it and then refer the same to the High Court. All that will take time. After that, when the Government refer it to the High Court, notice will have to be served on the other party and that party may be residing in Madras or in a mufassal place. If the party is in a mufassal place, it may take a little more time to serve the notice on the party. But if it is the case of the party going to the High Court straightaway, the Government Pleader of the Public Prosecutor will immediately take notice and interim orders can be obtained in two or three days, as in emergent cases bail can be moved and obtained quickly. That is why I thought that such a provision was absolutely necessary. We did not wish to restrict the rights of the people and we, therefore, gave up the idea and retained the clause as it was in the Bill when published originally.

[Sri C. Subramaniam] [20th December 1954

" As far as the rules to be made by the Government to carry out the purposes of the Act are concerned, we have re-drafted the clause—clause 13—so that all rules shall be laid on the table of the House for the purpose of scrutiny by the Members.

" If only hon. Members view this Bill without prejudice, without pre-conceived prejudice, I have absolutely no doubt that they will welcome this Bill. I will give this assurance on behalf of the Government that it is not the intention of the Government to use this Bill extensively for the purpose of interfering with the development of dramatic art. It is only in extreme cases where it has got to be prohibited in public interest, in the interests of a large section of the people and in the interests of law and order of the State, that the provisions in this Bill will be used. Therefore, hon. Members need not be under the impression that anything and everything will be prohibited.

" I shall refer to one more argument put forward with regard to religious freedom and with regard to the present clause 5. I attach considerable importance to it because I also appreciate the points that have been put forward by certain sections of the people. I want to give them the assurance that it is not as if we want to prohibit anti-religious propaganda or anti-God propaganda as such. Take this case, Sir. Leaving those who belong to the Hindu religion, we have got Christian minorities and Muslim minorities. Suppose slandering of Christian Gods or Saints takes place. Then, are we not bound to protect these religious minorities? Particularly because they are religious minorities we are bound to protect them. Then, take the case of Muslim minorities. Suppose, to-morrow a drama is enacted pointing out the various absurdities in the Muslim religion will it be tolerated by any section of the Muslim minorities? Should not the Government take some action for the purpose of seeing that such a catastrophe does not take place? Are we not bound to protect religious minorities? Should not Government take sufficient caution? Are we to provide for the protection of the religions of the minorities alone, and in respect of the religion followed by the majority section of the people are we to keep a blind eye? That will amount to discrimination from another point of view. It is absolutely necessary that we should give protection and we should have a clause as the present clause 5. Therefore, I appeal to hon. Members to view this Bill from this point of view and if any other points are raised in the course of the debate, I shall try my best to reply to the best of my ability."

* Sri M. NARAYANA KURUP :—" On a point of order, Sir. The Hon. Minister concluded by saying that this Bill was intended to protect the religious minorities. That is exactly my complaint. There is a lacuna, in this Bill . . ."

* The Hon. Sri C. SUBRAMANIAM :—" The hon. Member is arguing on a wrong premise."

20th December 1954]

* SRI M. NARAYANA KURUP :—" Supposing an obnoxious drama is staged objectionable to a minority and supposing the Government do not take steps to prohibit it, is there any provision for the minority to get redressal? " 1-10 p.m.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, evidently the hon. and learned Member was not following my argument. We are bound to protect the religious minorities and if we are bound to protect the religious minorities, then should there be a provision for the protection in respect of them alone? Can we do it and can we have such a clause? If we do that would we not be discriminating between the religion of the minorities and the religion of the majorities? Therefore, a general provision like this is necessary."

TWO VOICES :—" His point is different."

* THE HON. SRI C. SUBRAMANIAM :—" He was not pointing out any lacuna in my argument, I suppose and as far as outraging religious feelings, etc., is concerned sub-clause 1 (v) of clause 2 provides for it. We have not restricted it and it may concern a minority or a majority. That clause is not restricted to a minority or a majority . . ."

SRI S. SWAYAMPRAKASAM :—" By way of explanation, Sir. The hon. member Mr. Kurup wanted to say: 'There is a drama which is objectionable as per the various clauses of the Bill and supposing the Government or the Collector concerned do not take any action to prohibit that drama, what is the remedy open to such persons whose feelings are hurt? "

THE HON. SRI C. SUBRAMANIAM :—" They can appeal to the Government."

MR. SPEAKER :—" Motion moved—

'That the Madras Dramatic Performances Bill, 1954, as recommended by the Select Committee be taken into consideration.'

" There are amendments. Mr. Kalyanasundaram may move his amendment."

SRI M. KALYANASUNDARAM :—" Sir, I beg to move my amendment, namely—

'*That* after *the words* " *be taken into consideration* ", insert *the words* " *this day one year* ".' "

SRI K. P. GOPALAN :—" I second the amendment."

* SRI M. NARAYANA KURUP :—" Sir, it was agreed that the Bill will be taken up clause by clause tomorrow. Therefore, will it not be better that these amendments are moved when we discuss clauses? "

MR. SPEAKER :—" These amendments are not for any particular clause; they are for the whole Bill."

[20th December 1954

SRI A. RATNAM :—" I beg to move that—

'After *the words* " be taken into consideration ", insert *the words* " this day three months ".' "

SRI K. VINAYAKAM :—" I second the amendment."

MR. SPEAKER :—" I must inform the hon. Members Sri Ramalingam and Kanaran that their amendment is out of order. It is an amendment which was first moved by the hon. Member Sri Swayamprakasam and it was voted down by the House. We have passed that stage and the Bill has already gone before a Select Committee . . ."

SRI S. SWAYAMPRAKASAM :—" It was not voted down by the House, Sir. It was under particular circumstances withdrawn."

* SRI P. RAMAMURTHI :—" Sir, the Bill now before the House is different from the one that was before the House earlier. The House then voted that the Bill be referred to a Select Committee and the Select Committee have made certain changes in the Bill and the Government have now brought forward the changed Bill. Now it is open to the House to come to the conclusion that this Bill must be circulated for eliciting public opinion."

MR. SPEAKER :—" It is not to please anybody we are here. We are following certain rules and the Hon. Leader of the Opposition should refer to the relevant rule. Please refer to Rule 107."

(Sri C. H. Kanaran stood up in his seat.)

MR. SPEAKER :—" Your Leader has argued the case."

SRI C. H. KANARAN :—" Supposing the House now feels that the Bill should be circulated? "

MR. SPEAKER :—" We have passed that stage now."

SRI C. H. KANARAN :—" What is the remedy, Sir? "

MR. SPEAKER :—" The remedy is, let the House reject the Bill. Let the House vote it down."

SRI A. RATNAM :—" I beg to move that—

'For *the words* " be taken into consideration ", substitute *the words* " be dropped ".' "

SRI K. VINAYAKAM :—" I second the amendment, Sir."

SRI P. RANGASWAMI REDDIAR :—" I move the amendment standing in my name, namely :—

'Add *at the end of the motion the words* " and be dropped for the present ".' "

The amendment was duly seconded.

20th December 1954]

MR. SPEAKER :—" The motion and the amendments are before the House for discussion. I now call upon the hon. Member, Sri P. T. Rajan to speak."

* SRI P. T. RAJAN :—" Sir, am I to speak on the motion or the amendments. I do not want to speak on the amendments."

MR. SPEAKER :—" The hon. Member may speak on the motion."

* SRI P. T. RAJAN :—" Mr. Speaker, constitutional pandits apart, the Hon. the Leader of the House is right in saying that there is team spirit in the Cabinet and the public will be very happy that their Government is working as a team and smoothly.

" Coming to the Bill itself, I have no objection to the Government having such powers as it wants. After all the occupants of the Treasury Bench are there now and they have no permanent right of occupancy, they will be there to-day and the Friends to my right may occupy it to-morrow."

SRI S. PANCHAKSHARAM :—" We are not 'melvaram' people here."

* SRI P. T. RAJAN :—" We are not discussing 'melvaram' here.

" The Hon. the Leader of the House said that he was providing for an appeal to the High Court. Probably there is a suspicion in the minds of the people that the Government are rushing through this Bill because of the unfortunate Madurai incident. Then some people suspect that the Government have some idea in rushing the Bill through, because they are against a particular party. I am happy to be assured by the Leader of the House that there was no attempt on the part of the Government to aim this legislation at one party or the other. But what I would like, to be assured is that this Bill will be used in a judicious manner and secondly that the Government would permit their officers in the districts to work this law without let or hindrance. I should like to make my position clear in this way. Supposing the Collector of a certain district says that a particular performance should not be enacted, then it should not be open to the Government, because they get some letter or some message from a handful of people, to depute some officer from Madras to enquire whether what the Collector is doing is right or wrong. So I would like to have that assurance from the Government that this Act will be worked by their subordinates without interference from the Government at Headquarters.

" As a matter of fact, what I have in my mind is this. There was an attempt by a handful of men in Madurai in connexion with the staging of a play called 'Ramayanam' by Mr. Radha and that handful of people made up their minds to deliberately

[Sri P. T. Rajan] [20th December 1954

break the law and prevent the drama. The local authorities concerned took necessary action and everything was put in order. But the Government took it upon their head to depute two important persons, the Inspector-General of Police and a senior member of the Board of Revenue to go to Madurai and make enquiries. I do not find any reason or any necessity for such an action on the part of the Government. They have got their local officers and I believe they can depend upon their own local officers. Only when they do not have confidence in their local officers the Government can think of interfering. So, looked at from that point of view I would like to know how this legislation is going to be worked. I feel that the local officers must be given full discretion and only when the Government are convinced after hearing a report from the officer of the area concerned, they should think of interfering.

1–20 p.m. "If such an assurance is forthcoming, I shall be happy. No doubt, at the time of foreign rule, it was thought that it was patriotism to defy law and order. But to-day, in the year of Grace, 1954, we have freedom and we have our own people running the Government. When such is the case, why should a handful of persons try to defy law and order? It is the duty of the Government to maintain law and order at any cost. If such an assurance is forthcoming, I shall be happy to support the motion moved by my Friend, the Leader of the House."

* **Sri P. RANGASWAMI REDDIAR** :—" கனம் சபாநாயகர் அவர்களே, உலக சட்டசபை வரலாற்றிலே, முதன் முதலாக தனிப்பட்ட ஒருவர் நடத்தும் நாடகத்தை தடைசெய்ய ஒரு மசோதா கொண்டுவருவதும் இவ்வளவு துரிதப்படுத்தி அதை நிறைவேற்றுவதற்கு முயல்வதும் இதுதான் முதல் தடவையாகும் என்று நான் கருதுகிறேன். இதே சட்டசபையில் இரண்டரை அல்லது மூன்று ஆண்டுகளுக்கு முன்பு மதராஸ் ஸிவில் கோர்ட்டுகள் சட்டத்தின் (Madras Civil Courts Act) திருத்த மசோதா ஒன்று நிறைவேறியிருக்கிறது. ஜில்லா முன்சிப் கோர்ட்டுகளுக்கும் ஸிடி ஸிவில் கோர்ட்டுகளுக்கும் அதிகார வரம்பை வகுப்பதற்காக நிறைவேற்றப்பட்டு இரண்டரை ஆண்டுகளாகியும் அந்தச் சட்டமானது அமுலாக்கப்படவில்லை. கெஜட்டில் விளம்பரம் (notify) செய்யப்படவில்லை. இதுமாதிரி பலவிதமான பிரச்னைகள் இருந்தாலும் நாடகங்களைத் தடைப்படுத்துவதற்காக கொண்டுவரப்பட்டிருக்கும் இந்த மசோதாவானது . . . "

Mr. SPEAKER :—" அனேக அங்கத்தினர்கள் பேசவேண்டுமென்று விருப்பம் தெரிவித்திருப்பதால் ஒவ்வொரு அங்கத்தினருக்கும் 10 நிமிஷங்கள் வரை பேசுவதற்கு அவகாசம் கொடுப்பதாக வரையறுத்திருக்கின்றேன்."

* **Sri P. RANGASWAMI REDDIAR** :—" நான். பேசுவதற்கு பதினைந்து நிமிஷங்கள்வரை நீங்கள் அனுமதி தரவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

" நாடகங்களைத் தடை செய்வதற்கான மசோதாவைக் கொண்டுவருவது அவ்வளவு அவசரமில்லை என்று நான் நினைக்கிறேன்.

" ஒரு தனிப்பட்ட நபருடைய நாடகத்தை அல்லது தனிப்பட்ட நபர் நடத்தக்கூடிய ' வால்மீகி ராமாயண ' நாடகத்தை தடைப்படுத்துவதற்காகத் தான் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது என்பது கனம் நிதி அமைச்சர் அவர்கள் இன்று செய்த பிரசங்கத்திலிருந்து ஒருவாறு தெளிவாகியிருக்கிறது.

20th December 1954] [Sri P. Rangaswami Reddiar]

" நிதி மந்திரி அவர்கள் பேசும்போது, நாடக கழகத்தாரிடமிருந்து பதில் வந்திருப்பதாகவும், இந்த மசோதாவை அவர்கள் ஆமோதித்துவிட்ட தாகவும் குறிப்பிட்டார்கள். ஆகவே, இப்பொழுது இருக்கிற ஒரே ஒரு பிரச்னை தோழர் ராதா குழுவினர் நடிக்கின்ற வால்மீகி ராமாயண நாடகத்தைப் பற்றி தான்.

" நான் முன்பு ஒரு தடவை குறிப்பிட்டிருப்பது போல, 1952-ம் ஆண் டில் கரூரில் நடத்தப்பட்ட 'ரத்தக் கண்ணீர்' என்ற நாடகத்தை எதிர்த்து ஒரு சில காலிகள் அட்டகாசம் செய்ததற்காக 144 தடையுத்தரவு விதிக்கப்பட்டது. தடையுத்தரவு விதிக்கப்பட்டதை எதிர்த்து தோழர் ராதா சென்னை ஹைகோர்டில் ரிவிஷன் மனு தாக்கல் செய்திருந்த காலத்தில் 'ஒரு சில காலிகள், குழப்பம் செய்வதற்காக அந்த நாடகத்தைத் தடை செய்ய வேண்டியதில்லை ; அவ்வாறு குழப்பம் விளைவிப்பவர்களைத் தடுக்க வேண்டியது போலீசாருடைய கடமை' என்று ஹைகோர்டு தீர்ப்பில் குறிப் பிடப்பட்டிருக்கிறது. ஆகவே, சர்க்கார் இதைப் பரிசீலனை செய்யவேண்டும்.

" இன்றுவரை 'வால்மீகி ராமாயணம்' தடை செய்யப்படவில்லை. யாருக்கு ராமாயணத்தைப் பார்க்கவேண்டாமென்று தோன்றுகிறதோ அவர்கள் பார்க்கவேண்டாம் ; அவசியம் பார்க்கத்தான் வேண்டுமென்ற வலுக் கட்டாயம் எதுவும் இல்லை, எவருடைய மனமாவது புண்படுமென்று தோன்றினால் அவர் அந்த நாடகத்தைப் பார்க்கவேண்டியதில்லையென்று அந்த நாடகத்திற்கு விளம்பரம் செய்யப்பட்டதாகத் தெரிகிறது.

" அப்படியிருந்தும் ஒரு சிலர் காலித்தனம் செய்தார்கள் என்பதற்காக அந்த நாடகத்தைத் தடைசெய்யவேண்டுமென்று இந்த மசோதாவைக் கொண்டு வந்திருப்பது மிகவும் வருந்தத்தக்க விஷயமாகும்.

" 1954-ம் ஆகஸ்டு 28உ அன்று சென்னை ஒற்றவாடை தியேட்ட ரில் நாடகம் நடைபெற இருந்தது. 1954-ம் ஆகஸ்டு 4உ-லேயே அதாவது 24 நாட்களுக்கு முன்பே, அதிகாரிகளுக்கு கதை வசனம் தெரிவிக்கப்பட்டிருந்தது. இப்பொழுது அமுலில் இருக்கிற மத்திய சட்ட மாகிய Dramatic Performances Act டின் கீழ், நாடகம் நடத்தப் படுவதற்கு 24 நாட்களுக்கு முன்பே அந்த நாடகத்தினுடைய சாராம்சம் அதிகாரிகளுக்கு அனுப்பப்பட்டிருந்தும் 24 நாட்கள் வரை எந்தவிதமான தடையுத்தரவும் போடாமல், நாடகம் நடக்க இருந்த மாலை அன்று 6-மணிக்கு தடையுத்தரவைப் போலீசார்கள் போட்டார்கள்.

" கனம் முதல் அமைச்சரைத் தோழர் ராதா சந்தித்து கேட்டதற்குப் பிறகு அந்தத் தடையுத்தரவை அரசாங்கம் வாபஸ் வாங்கிக்கொண்டு சென்னை ஒற்றைவாடைத் தியேட்டரில் அந்த நாடகத்தை நடத்துவதற்கு அனுமதித்தது.

" அதன் பிறகு வேலூர், நாகப்பட்டிணம், கும்பகோணம், திருச்சி ஆகிய பல இடங்களில் வால்மீகி ராமாயண நாடகம் நடந்தது. எங்கும் குழப்பம் இல்லை.

" ஆனால், மதுரையில் இந்த நாடகம் நடத்தப்பட்டபோது, ஸ்ரீ வைத்ய நாதய்யருடைய மகன் இதில் தலையிட்டதனால் அவருக்கு அடி விழுந்த ஒரு காரணத்திற்காக சர்க்கார் இதில் தலையிட்டு நாடகத்தை தடை செய்கிறார் கள். கனம் நிதி அமைச்சர் அவர்களுக்கு வெளி வட்டாரங்களிலிருந்து 'ப்ரஷர்' வருகிறது என்பதற்காக இப்படிச் செய்யப்படுகிறது என்று வதந்தி உலாவுவதில் ஆச்சரியமில்லை.

" ரெவினியூ போர்டு மெம்பர் ஸ்ரீ சத்தியநாதன் இது சம்பந்தமாக விசாரணை செய்வதற்கு மதுரைக்குப் போயிருந்தபோது, குற்றம் செய்தவ னுடைய தகப்பனாராகிய ஸ்ரீ வைத்யநாதய்யர் ஸ்ரீ சத்தியநாதனைத் தனிமை யில் போய்ப் பார்த்ததாக செய்தித்தாள்களிலில் வந்திருந்த அறிக்கையி லிருந்து தெரிகிறது. தனியாகப் போய்ப் பார்க்கவேண்டிய அவசியம் இல்லை."

Mr. SPEAKER :—" கனம் அங்கத்தினர் அவர்கள், சபை முன்புள்ள மசோதாவைப்பற்றி மட்டும் பேசலாம். கனம் அங்கத்தினர் பேசுகிற விஷயம் கோர்ட்டிலே இருக்கிறுப்போல் தெரிகிறது."

THE HON. SRI C. SUBRAMANIAM :—" Sir I was not listening to what the Hon. Member said. I thought he was a lawyer and that he would refrain from expressing objectionable things."

* SRI P. RANGASWAMI REDDIAR :—" I was only referring to the meeting of Mr. Sathianathan with Mr. Vaidyanatha Iyer. I was not referring to Court proceedings. அதன் பிறகு சேலத்தில் 'போர்வாள்', 'ரத்தக்கண்ணீர்' என்ற நாடகங்கள் நடந்தன. அதன் பேரில் நடவடிக்கை எடுக்கப்பட்டது."

* SRI R. V. SWAMINATHAN :—" On a point of order, Sir. The Hon. the Leader of the House said that he was not listening to the hon. Member and that he thought that that hon. Member being a lawyer, would refrain from referring to things which were not legitimate. Does he mean to say that non-lawyers speak something illegitimate? We non-lawyers, are as legitimate and relevant in our speech as lawyers are." (Laughter.)

* THE HON. SRI C. SUBRAMANIAM :—" This is a technical point, '*sub judice*'. I thought that Mr. Rangaswami Reddiar would know it much better. (Laughter.) That is all. **I am** sorry that my remark has offended Mr. Swaminathan."

* **SRI P. RANGASWAMI REDDIAR** :—" சேலத்தில் நடந்த நாடகங்களை சர்க்கார் ஆட்சேபித்து தோழர் ராதாவின் பேரில் நடவடிக்கை எடுத்தார்கள். ரூ. 500 அபராதம் போடப்பட்டது. அதை எதிர்த்து சென்னை ஹைகோர்ட்டில் வழக்கு தொடர்ந்து தோழர் ராதா விசாரிக்கப்பட்ட போது **Dramatic Performances Act** டிலுள்ள சில குறைபாடுகளை கண்டுபிடித்து கோர்ட்டார் எடுத்துக்காட்டினார்கள். உடனே சர்க்கார் வழக்கை வாபஸ் வாங்கிக்கொண்டார்கள்.

" இன்றிருக்கக்கூடிய நிலைமையில் தோழர் ராதாவினுடைய ரத்தக் கண்ணீர் நாடகமாக இருந்தாலும் சரி, ராமாயண நாடகமாக இருந்தாலும் சரி, வேறு எந்த நாடகமாக இருந்தாலும் சரி அவைகள் குற்றமுள்ளவை ஆகா. அவைகள் சட்டப்படி குற்றமாக இருந்தால் அப்பொழுதே "**ban**" செய்திருப்பார்கள். அப்படி **ban** செய்யப்படவில்லை.

" ஒரு கனம் அங்கத்தினர் குறிப்பிட்டதுபோல், இதற்கு ஒரு சிலருடைய எதிர்ப்பு இருக்கிறது. ஆஸ்திகர்கள் என்று சொல்லிக்கொள்கிறவர்கள் மனது புண்படும்போல் இருக்கிறது என்பதற்காக இந்த மசோதா கொண்டு வரப்பட்டிருக்கிறது என்று 'விடுதலை' தலையங்கம் எழுதினால் அது மிகைப்படுத்தியதல்ல, பிசகும் அல்ல.

" ராமாயணத்தைப்பற்றி 26, 27 ஆண்டுகளுக்கு முன்பு "ராமாயண ஆபாசம்" என்று ஈரோட்டிலுள்ள குடியரசு பதிப்பகத்திலிருந்து வெளியாகியிருக்கிறது. அந்தப் புத்தகத்தை ஆட்சேபித்து நாளது வரை யாரும் எழுதியாகத் தெரியவில்லை. அந்தப் புத்தகம் பறிமுதல் செய்யப்பட்டதாகவும் தெரியவில்லை.

" வால்மீகி ராமாயணத்தின் மொழிபெயர்ப்பு என்று சொல்லி காஞ்சீபுரத்திலிருந்து பிரதிவாதி பயங்கரம் அண்ணங்கராச்சாரியார் என்பவர் 6, 7 வால்யூம்கள் வெளியிட்டிருக்கிறார். அதைத் தயவு செய்து படித்துப்

20th December 1954] [Sri P. Rangaswami Reddiar]

பார்க்கவேண்டும். வால்மீகி ராமாயணத்திலும் அப்படித்தான் எடுத்துச் சொல்லப்பட்டிருக்கிறது. ஆனால், 'நீங்கள் எடுத்துச்சொல்வதற்கு உரிமை இல்லை' என்று சொல்வதுபோல் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது. வால்மீகி ராமாயணம் சரியல்ல என்று சொன்னால் மேலே குறிப்பிட்ட புத்தகத்தைத் தடை செய்திருக்கவேண்டுமேயொழிய, புத்தகத்தில் இருப்பதை நாடக ரூபத்தில் எடுத்துச் சொல்வது தவறு என்று சொல்வது சரியல்ல.

"நம்முடைய சர்க்கார் **Secular State** என்று சொல்கிறார்கள். மதத்தில் ஒருவருக்கு நம்பிக்கை இருந்தாலும் நம்பிக்கை இல்லாவிட்டாலும் அதைப்பற்றி அரசாங்கத்திற்கு அக்கரை இல்லை என்று சொல்கிறார்கள். துஷ்டர்களை அழித்து நல்லவர்களைக் காப்பாற்றுவது கடவுளுடைய கடமையாக இருந்தது. ஆனால், இப்பொழுது துஷ்டர்களிடமிருந்து கடவுளைக் காப்பாற்ற வேண்டிய கடமை சர்க்காருக்கு ஏற்பட்டுவிட்டது. (சிரிப்பு.) இது மிகவும் வருந்தத்தக்க விஷயம்.

"மனது புண்படுகிறது, மனது புண்படுகிறது என்று சொல்லப்படுகிறது. இராவணனைப்பற்றி சிறப்பாக புலவர் குழந்தை என்பவர் 'இராவண காவியம்' என்னும் நூலில் எழுதியிருக்கிறார். ராமரைப்பற்றி உயர்வான கருத்துக்களை எடுத்துச் சொல்வதற்கு எவ்வளவு உரிமையும் சுதந்தரமும் ஒருவருக்கு உண்டோ அதேபோல தென்னாட்டு மன்னனாக விளங்கிய இராவணனுடைய உயர்வான தன்மைகளை எடுத்துச் சொல்வதற்கு மற்றவர்களுக்கும் சுதந்தரமும் உரிமையும் இருக்கத்தானே வேண்டும்? அதில் என்ன தவறு இருக்க முடியும்?

"ராமாயண நாடகத்தை 100 பேர்கள் பார்க்கப் போகிறார்கள் என்று சொன்னால், 'கீமாயணம்' என்று அழைக்கப்படுகிற தோழர் ராதாவினுடைய நாடகத்தைப் பார்ப்பதற்கு ஆயிரம் பேர்கள் செல்கிறார்கள். அந்த நாடகம் பெரும்பான்மையோரால் உண்மையாக ஆதரிக்கப்படுகிறது என்பது இதிலிருந்து புலனாகிறது. உண்மையான ஜனநாயகத்தில் பெரும்பாலோருடைய கருத்துக்களுக்கு இடம் இருக்கவேண்டும். ஒரு சிலருடைய கூச்சலுக்குப் பயந்து செய்கிற காரியம் உண்மையான ஜனநாயகம் அல்ல."

MR. SPEAKER:—"தயவுசெய்து இன்னும் ஐந்து நிமிஷங்களுக்குள் உங்களுடைய பிரசங்கத்தை முடித்துக்கொண்டு விடுங்கள்."

* **SRI P. RANGASWAMI REDDIAR**:—"சர்க்கார் இதில் எடுத்துக்கொள்ளும் அக்கரையை இன்னும் செய்ய வேண்டிய பலகாரியங்களில் எடுத்துக்கொள்ளலாம். 'நிர்வாணக்கலை', 'மானிட இன்பம்' போன்ற பல ஆபாசமான புத்தகங்கள் வெளிவருவதைப் பார்க்கலாம். சென்னை நகரில் நடக்கின்ற சினிமாப்படங்களில் தமிழ்படமானாலும் சரி ஆங்கிலப்படமானாலும்சரி எந்த ஒரு படத்தையாவது ஒரு சகோதரனும், சகோதரியும் உட்கார்ந்துப் பார்க்கக்கூடிய அளவிற்கு இருக்கின்றனவா? நாகரீகமான மக்கள் போய் பார்க்கக்கூடிய அளவிற்கு அவைகளையெல்லாம் கட்டுப்படுத்தவோ, அல்லது தடைசெய்யவோ, எந்தவிதமான அக்கரையும் இந்தச் சர்க்காருக்குக்கிடையாது. 1-30 p.m.

"எண்பது அல்லது 90 ஆண்டுகளுக்கு முன்பு சீமையில் ஒரு பிரச்னை எழுந்தது. காலஞ்சென்ற நாடகாசிரியர் ஜார்ஜ் பெர்னாட்ஷா என்பவர் விபசாரத்தின் இழிவுகளை எடுத்துச்சொல்லக்கூடிய 'மிஸஸ் வாரனின் தொழில்' என்ற ஒரு நாடகத்தை எழுதி இருந்தார். இந்த நாடகம் ஒழுக்கக்கேடானது என்று கருதி சேம்பர்லேன் பிரபு பிரிட்டிஷ் பிரதமராக இருந்தபோது புதிய சட்டங்கொண்டுவந்து அந்நாடகத்தை நடிப்பதைத் தடைசெய்தார். எட்டு ஆண்டுகளுக்குப் பிறகு இந்த நாடகம் மீண்டும் நடிக்கப்பட்டது. இந்த நாடகம் பிறகு நூல் வடிவில் வெளியிடப்பட்டது. இதற்கு ஆசிரியர் பெர்னாட்ஷா எழுதியுள்ள புத்தகத்தின் முன்னுரையில் குறிப்பிட்டுள்ள கருத்துக்கள் வருமாறு:

[Sri P. Rangaswami Reddiar] [20th December 1954

"விபசாரத்தின் தீங்குகளை அதற்கான காரணங்களை விளக்கி இந்த நாடகத்தை எழுதியுள்ளேன். நல்வாழ்க்கை வாழ வசதிப்பட்டால் எந்தப் பெண்ணும் விபசாரத் தொழிலில் ஈடுபடமாட்டாள் என்ற கருத்தை இதில் எடுத்துக்காட்டியுள்ளார். ஆனால் பிரபு சேம்பர்லேன், பார்லிமென்ட் சட்டத்தில் மூலம் இது ஒழுக்கக்கேடானது அல்லது மேடையில் நடிக்கத் தகுதியற்றது என்று குறிப்பிட்டுத் தடைபடுத்திவிட்டார்'. . . ' மதத் துறை உபதேசங்கள் மூலமோ மற்ற முறைகளிலோ இத்தகைய ஒழுக்கக் கேட்டை மாற்றவே முடியாது. மதநம்பிக்கைகள் நரக தண்டனைகள் இவைகளில் இக்கால சிறுமிகளுக்கு நம்பிக்கை கிடையாதென்பதும் சொல்லப்பட்டது. இவைகள் நீங்கவேண்டுமானால் ஒழுக்கக்கேடான செயல்களையும், அவைகளிலிருக்கும் கோரக்காட்சிகளையும் அப்படியே படம் பிடித்துத்தான் காட்டவேண்டும்."

"ஒழுக்கக்கேடான காட்சிகள், கோரவிளைவு படப்பிடிப்புகள், நாடகத்திலே இருக்கக்கூடாது என்றால் ஷேக்ஸ்பியர் எழுதிய லியர் மன்னன், ஜூலியஸ் ஸீசர், ஹாம்லட், மாக்பெத் ஆகிய நாடகங்களும் இந்த இனத்தைச் சேர்ந்தவைதானே, மத-சமுதாயக் கொள்கைகளை அடிப்படையாகக் கொண்டு கலைகளுக்குத் தடைவிதிப்பது அரசியல் துறையில் வெற்றிதராது பெரும் எதிர்ப்பு ஏற்பட்டுத்தான் தீரும். மேலும் இந்தச் சீர்திருத்த நடவடிக்கைகளைத் தடுப்பவர்கள் சமுதாய நலனைக்கருத்தில் கொண்டவர்கள் அல்ல, ஏதோ சுயநலநோக்கம் கொண்டவர்கள் என்பது மேலளவில் கவனித்தாலும் போதும். சமுதாயநீதிகள் சார்பாக அவர்கள் பேசுகிறார்களா என்பது சந்தேகம்." ஐம்பது ஆண்டுகளுக்கு முன் பெர்னாட்ஷாவினால் சொல்லப்பட்ட கருத்து இது.

"நேற்று ஒரு செய்தியில் அதாவது 'இந்து' பத்திரிகையில் பார்த்தேன். ஸ்ரீ சங்கராச்சாரியார் சொன்னார் என்று ஒரு கட்டுரை வந்திருக்கிறது. அதில் ராவணன் தமிழன் அல்ல, அவன் பிராமணன் என்று குறிப்பிட்டிருக்கிறார். இதுமாதிரியாக அவரவர்களுடைய கருத்துக்களை எடுத்துரைக்க ஒவ்வொருவருக்கும் உரிமை இருக்கிறது. அதில் நல்லது எது, கெட்டது எது என்று பிரித்துப்பார்த்து நல்லவைகளைக் கொள்வதுதான் மக்கள் செயலாகும். இதைக்குறித்துத்தான் திருவள்ளுவரும் 'எப்பொருள் யார்யார் வாய்க்கேட்பினும் அப்பொருள் மெய்ப்பொருள் காண்பதறிவு' என்று சொல்லியிருக்கிறார். ஆதலால் பெரும்பாலான மக்களுடைய எண்ணத்தை உணர்ந்து அதன்படி நடக்கவேண்டுமே தவிர ஒரு சிலரின் விருப்பு வெறுப்புக்களைக்கொண்டு, மற்றவர்களைக் கட்டுப்படுத்தக் கூடாது. அரசாங்கம் 4, 5 பேர்கள் சேர்ந்து ஒரு விஷயத்தில் கலகம் செய்தால் அதற்காக ஒரு சட்டம் கொண்டுவரக்கூடாது. அப்படியென்றால், சுயமரியாதை கல்யாண காலங்களிலும் இம்மாதிரியாக 4, 5 பேர்கள் சேர்ந்துக்கொண்டு கலாட்டா செய்து அதை தடுத்துவிடுவார்கள். தோழர் எம். ஆர். ராதா நாடகத்திற்காகத்தான் இந்த மசோதாவும் கொண்டுவரப்பட்டது. இந்த நாடகத்தை தடைசெய்தால் நின்றுவிடாது, இன்னும் அவர்களுக்கு ஊக்கம் தான் பிறக்கும். ஆகையால் கனம் நிதி மந்திரி அவர்கள் இவைகளையெல்லாம் ஆலோசித்து ஒரு நல்ல முடிவிற்கு வருவார்கள் என்று நம்புகிறேன். பட்டிணத்து அடிகள் கூட,

'வித்தாரம் கபடம் வேண்டாம் மட நெஞ்சே
செத்தாரைப் போல் திரி'

என்று ஆஸ்திகர்கள் எவ்வளவு அடக்கமாக யிருக்கவேண்டும், யிருப்பார்கள் என்பதற்காகத்தான் சொல்லிப் போயிருக்கிறார்."

MR. SPEAKER :—"The House will now rise for lunch and meet again at 2-30 p.m.

The House then adjourned.

(After lunch—2-30 p.m.)

V.—DISCUSSION ON URGENT MATTER OF ADMINISTRATION UNDER RULE 56 *RE* FIXATION OF MINIMUM WAGES FOR BEEDI WORKERS.

Mr. SPEAKER :—" We shall now take up the one-hour debate. The hon. Member, Sri K. P. Gopalan, has given notice of an urgent matter of administration to be discussed and the subject-matter is this :

'The recent draft notification of the Government fixing minimum wages for tobacco workers in the State.'

He says it is urgent as a big jatha of beedi workers are in Madras and are waiting in deputation on the Chief Minister. He will now initiate the discussion. I allow one hour for this. Mr. Gopalan will have ten minutes, Mr. Palaniyandi, ten minutes, Mr. Sreedharan, ten minutes, Mr. Ramamurthi, the Leader of the Opposition, fifteen minutes and the Hon. the Minister, fifteen minutes."

Sri K. P. GOPALAN :—" Mr. Speaker, Sir, the Government in a notification in the Gazette in November last fixed the minimum wages for the tobacco workers in this State. In that notification, it is stated that a beedi worker will get Re. 1–4–3 per thousand beedis and a cigar worker Rs. 2–4–0 per thousand cigars. In Madras State, there are about 3½ lakhs of tobacco workers. Next only to the handloom industry, it is the biggest industry in the State having a very large number of workers in it. I need not go into all the facts of the case as my time is very limited. In our country, every day, 35 crores of beedies are consumed. The Government get by way of excise duty nearly 32 crores of rupees. Moreover, the State Government get Rs. 2 by way of licence fee and Rs. 10 as profession tax from each dealer. So, it is a source of income to the Government.

" But unfortunately our Government have not developed the beedi industry. There are lakhs and lakhs of beedi workers and it is the Government's duty to see to it that they lead a decent life. But on the other hand Government have fixed the minimum wages all of a sudden. I do not know how they came to the conclusion that a minimum wage of Re. 1–4–3 is sufficient for a beedi worker to maintain himself. How did they fix a wage of Rs. 2–4–0 for a cigar worker? What are the principles they adopted in fixing these minimum wages? In the Constitution it is clearly stated under Article 43— 2-0 p.m.

'The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work *ensuring a decent standard of life* and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.'

What does this mean? It means that the worker should be paid a decent wage and he must be paid enough to lead a decent standard of life. What has this Government done? Can a beedi worker with Re. 1–4–3 per day or a cigar worker with Rs. 2–4–0 per day,

with a family consisting of five persons, lead a decent standard of life? Is it humanly possible? Have the Government considered that aspect of the matter before they fixed the minimum wages as aforesaid? I shall give the definition of a minimum wage as given by the Federal Arbitration Court of Australia. They have defined minimum wage as follows :—

'The normal needs of an average employee regarded as a human being in a civilised community consitutes his minimum wage.'

That is the definition which the Federal Arbitration Court of Australia has given for 'minimum wage'. What does the Labour Appellate Tribunal say with regard to minimum wage? If we take page 44 of their proceedings for the year 1952, it is said that minimum wages must be fair wages. The word 'fair' should be noted. Is a minimum wage of Re. 1–4–3 per day for a beedi worker a fair wage? I would take the Hon. Minister to any beedi or cigar worker's house who has a family numbering five. Let him see things for himself. Is it possible for a beedi worker with a daily wage of Re. 1–4–3 and a cigar worker with a daily wage of Rs. 2–4–0 to maintain his family? It is barely sufficient for a week or fortnight. What about the rest of the period in the month?

"In 1953 the Central Government appointed a committee called 'Minimum Wages Committee for employments under local authorities'. On page 64 of their report, they have laid down three principles for defining minimum wages for any particular industry, viz., firstly to consider in detail the various awards given by the Appellate Tribunals regarding the particular industry, secondly to follow the recommendations of the labour enquiry committee that has studied the question and thirdly to ascertain the views and suggestions of the workers employed in the particular industry. Have these three principles been followed in the fixing of minimum wages for beedi and cigar workers by this Government? Have they consulted the workers? No, the answer is in the negative.

"In Hyderabad, a committee called the Minimum Wages Committee was appointed. That committee was of the opinion that a minimum wage must be at least Rs. 30 excluding dearness allowance. On page 7 of the Textile Enquiry Committee report, Mr. Venkataramiah has said that the basic pay must be Rs. 26 excluding the dearness allowance. He has said that the dearness allowance should be Rs. 47. He has also defined what is a minimum wage. He has said that a minimum wage must be fixed *not* on the profit made by the owner but that the minimum wage must be fixed in such a manner that the worker could live. I think last year there was a conference in Mysore. The question of minimum wage was discussed there. Comrade Ramamurthi was a member there and he would explain it in detail.

"I would request the Hon. Minister for Labour that even if he were to look to the Karachi resolution of the Congress he would find that that resolution has recommended a basic minimum pay of

20th December 1954] [Sri K. P. Gopalan]

Rs. 30. When that Karachi resolution was passed, the cost of living was 1/5th of what it is now. Therefore, what should be the minimum wage *now* according to the Karachi Resolution? Simple arithmetic will tell that it should be Rs. 30 × 5, i.e., Rs. 150.

" In the first report of the United Provinces Labour Enquiry Committee (1946–1948) it is said—

'Minimum wage must be judged from the subsistence level, i.e., whether the income is sufficient not only for physiological existence but also for some elementary social necessities like medical attention, tramfare, insurance, a modicum of recreation, comfortable clothing with self-respect, etc., and sufficient to provide bodily protection.'

Judged from this report, can we by any stretch of imagination say that with Re. 1–4–3 as the daily wage, a beedi worker could have all the above requirements?

" Sri B. V. Narayanaswami Naidu who has studied this question thoroughly says on pages 56, 100 of his report that the wages of the beedi workers should be modified and that there should be 25 per cent increase in the wages of those beedi workers who are getting Re. 1–2–0 as daily wage. Moreover Sri P. V. Krishnaswami, Industrial Tribunal, Coimbatore, and Sri Markandeyulu who was the Industrial Tribunal at Madras in 1950 have fixed the minimum wage of Rs. 2 for a beedi worker for 1,000 beedies. The United Provinces Labour Enquiry Committee has recommended the following pay scales :—

	RS.	
Unskilled worker ..	30	Plus dearness allowance.
Skilled worker ...	50	Do.
Semi-skilled worker ..	45	Do.
High-skilled worker ..	75	Do.

" When we fix a minimum wage, we should fix it on the basis of the national minimum wage. I am sure the Hon. Labour Minister knows that the All-India Trade Union Congress recently passed a resolution that the national minimum wage must be Rs. 100 including dearness allowance. I want to know whether the Government took into consideration the question of national minimum wage when they have fixed these minimum wages for beedi and cigar workers? Have they followed the awards of the industrial tribunals? Most important of all, have they consulted the workers, I mean the beedi and cigar workers? Even Mr. Venkatramiah has said that minimum wage should be fixed not taking into consideration the profit of the industry but taking into consideration whether with that minimum wage, a worker with a family (normally consisting of five persons) could lead, not a luxurious life, but a normal life. Have the Government followed his advice? If the Hon. Minister were to visit the house of any beedi or cigar worker, he will see for himself that the wage now proposed is really insufficient.

[Sri K. P. Gopalan] [20th December 1954

" In Malabar the workers are getting between Rs. 1–14–0 and Rs. 2–2–0 for 1,000 beedies and Rs. 2–8–0 for 1,000 cigars. In Palghat they are getting Rs. 2–6–0 for 1,000 beedies. In Coimbatore they are getting Rs. 2 for 1,000 beedies and in Madras they are getting between Rs. 1–12–0 and Rs. 1–14–0. I do not know wherefrom Government came to the conclusion that a minimum wage of Re. 1–4–3 for 1,000 beedies would be sufficient? They have fixed these wages and have thereby allowed the owners of these beedi factories to make enormous profits, when all the time they have been amassing huge profits."

Mr. SPEAKER :—" The hon. Member has got only one minute more."

Sri K. P. GOPALAN :—" I want five more minutes."

Mr. SPEAKER :—" How can I allow it? There are other hon. Members to speak. I have already allowed ten minutes for the hon. Member. He has got only one minute more. He must try to finish before one minute."

Sri K. P. GOPALAN :—" I shall give comparative figures to show how the beedi factory owners are amassing huge profits without at the same time giving the workers decent wages. The Ganesh Beedi Factory is manufacturing eighty lakhs of beedies a day and their daily profit is Rs. 6,000. The Masjid Beedi Factory at Coimbatore is making a daily profit of Rs. 1,000. The Madras Taj Mahal Beedi Factory is amassing a daily profit of Rs. 9,000. The Mukkudal Beedi (Ramakrishna beedies) factory is also amassing a huge profit daily. Even though the Labour department will not disturb the existing wages, yet their job is only to see that in future these beedi and cigar workers get the minimum wages now prescribed. Thereby the beedi factory owners will amass huge profits when at the same time the workers would be starving and suffering for their daily meals. I know that the beedi workers in Tirunelveli are paid very low wages. I know that P.R.H. & Sons beedi factory owners are keeping an elephant which is fed daily with halva and provided with a mosquito net whereas the workers rot for their daily bread.

" These are the pitiable conditions in which the beedi workers live. Let Government consult the Beedi workers organisations; let the Government understand the real sufferings of these poor people; let them go through the various awards of the industrial tribunals; let them go through the various labour enquiry committee's reports and then fix the minimum wages taking into consideration the standard of living which a beedi or cigar worker is normally expected to lead."

2–50 p.m. * Sri K. T. SREEDHARAN :—" Mr. Speaker, Sir, our Government have notified that the minimum wages for 1,000 bodies will be Re. 1–4–3 and that for 1,000 cigars will be Rs. 2–4–0.

20th December 1954] [Sri K. T. Sreedharan]

Even in 1946 our Government appointed Dr. B. V. Narayanaswami Naidu as a Court of Enquiry to go into the problems connected with the working conditions of labour engaged in the manufacture of beedies, cigars, etc., and make a report. I wish the Government have perused the report given by Dr. B. V. Narayanaswami and also have taken into consideration the valuable suggestions given therein. At page 150 of the report, the Court of Enquiry has made the following useful observations : ' It is common to base the minimum wages on one or more of three principles; it must be determined by the living wage; it must be such as the industry can afford to pay; and lastly it must be fixed with reference to similar categories of workers in other industries and other categories of workers in the same industry.' Again at page 151 of that Report, Dr. B. V. Narayanaswami has made the following remarks with regard to the fixing of the minimum wage : ' In fixing the minimum wages for workers in the five industries brought under the scope of this enquiry, I have taken minimum wages to be sufficient to meet the subsistence needs of a man with wife and three children. To meet the minimum human needs, the wages will have to be increased; and in order to enable the workers to enjoy minimum comforts, further increases will have to be effected. However, I have now provided only for wages sufficient for subsistence and physical efficiency in the hope that when the general level of prices declines, the cost of living will become cheaper and the workers will be enabled to satisfy some of their needs and comforts with the proposed rate of minimum wages; it is also assumed that the wages will not be stepped down in case the cost of living index records a fall.' In these circumstances he has mentioned that Re. 1–2–0 will be the minimum wage for the beedi worker.

" Now, if we examine the wages that are prevalent in the various parts of our State, we will find that the workers are getting a rate much higher than the one that has been notified by the Government. I know that in Malabar the workers are getting between Rs. 1–12–0 and Rs. 1–14–0 for 1,000 beedies and Rs. 2–4–0 and Rs. 2–8–0 for 1,000 cigars. Even some Industrial Tribunals have given awards to this effect. Our State Government appointed an Industrial Tribunal for Malabar and the award given by that Tribunal has fixed Rs. 1–12–0 for 1,000 beedies and Rs. 2–4–0 for 1,000 cigars. The rate fixed by the Industrial Tribunal for a worker in Coimbatore is Rs. 2 for 1,000 beedies.

" Even with the higher wages prevailing in the State, the workers are not able to make both ends meet. The workers engaged in the beedi industry are not able to earn even Rs. 35 or Rs. 40 a month and workers engaged in the cigar industry get even much less. Of course, the capacity of the industry to pay is also an important point to be considered. There are remarks in the awards given by the Tribunals that the industry is in a very sound position

to increase the wages. Even Dr. B. V. Narayanaswami in his report goes on to say that a 25 per cent increase in the wages can be effected without jeopardising the industry. So, from that point of view also, the industry is in a sound position to pay a higher minimum wage for this category of workers and regarding the minimum wages of similar categories of workers in other industries, we can assert that the workers are in a better position. In the circumstances, I wonder how this Government came forward to fix up such a low wage for these tobacco workers under the Minimum Wages Act. There is also a fear prevalent among workers in this State that the capitalists will take advantage of the clue in the report that the cost of living would become cheaper when the general level of prices declines and see that wages are reduced to a lower level in view of the trend of opinion expressed therein. That apprehension must also be removed and the workers must be given a minimum wage of at least Rs. 2–4–0 for 1,000 beedies and Rs. 3–4–0 for 1,000 cigars. The working classes must be assured that their position will be much better under this Government. Let me thank you, Sir, for the opportunity given to me to speak.''

2–58 p.m. **Sri M. PALANIYANDI**:—" கனம் சபாநாயகர் அவர்களே, இந்த குறைந்த பட்ச சம்பளத்தைப் பற்றி பேச எழும்போது கனம் கோபாலன் அவர்கள் தன்னுடைய பிரசங்கத்தில் கூறியபடி, தொழில் கோர்ட்டு நிர்ணயித்தபடி தொழிலாளர்களுக்கு அடிப்படை சம்பளம் கொடுக்கப்பட வேண்டும். அதை கனம் அங்கத்தினர் எடுத்துக் காட்டியிருக்கிறார். நம்முடைய ராஜ்யத்திலுள்ள 12 ரக தொழிலாளர்களுடைய சம்பளத்தை நிர்ணயிக்க ஒரு தொழில் கோர்ட்டை அமைத்தார்கள், அதன்படி இப்பொழுது அவர்களுக்கு சம்பளம் கொடுக்கப்படுகிறதா என்பதைப் பார்க்க வேண்டும். சண்டைக்கு முன்பாக அரசாங்கம் எவ்வளவு கொடுக்கவேண்டும் என்று நிர்ணயித்தார்களோ அந்த அடிப்படையில் இப்பொழுது கொடுத்து வருகிறார்கள். கூனூர் ஆராய்ச்சி நிலையத்தில் உணவு ஆராய்ச்சி செய்து புள்ளி விவரங்கள் எடுத்து, ஒரு குடும்பத்தில் நான்கு பேர்கள் இருந்தால் அவர்களுக்கு குறைந்த பட்ச சம்பளம் எவ்வளவு கொடுக்கவேண்டும் என்று 1936-ம் வருஷத்திற்கு முன் சரியானபடி நிர்ணயித்திருக்கிறார்கள். அதன் பிறகு வாழ்க்கைத்தரப்புள்ளி விவரம் எவ்வளவு ஏறியிருக்கிறது என்பதை சர்க்கார் கவனிக்க வேண்டும். இப்பொழுது 330 அல்லது 340 என்று ஏறியிருக்கிறது. ஒவ்வொரு ஜில்லாவையும் எடுத்துக்கொண்டால் எவ்வளவு உயர்ந்திருக்கிறது என்பது தெரியவரும். அந்த அடிப்படையில் தொழிலாளர்களுக்கு சம்பளம் கொடுக்க வேண்டுமென்றால் ஒவ்வொரு தொழிலாளருக்கும் குறைந்த பட்சம் ரூ. 125 அல்லது 130 கொடுக்கப்பட வேண்டும். மற்றும் அட்ஜுடிகேஷன் மூலம் கொடுத்த 'அவார்' டை எடுத்துக் கொண்டாலும் ஒரு தொழிலாளிக்கு குறைந்த பட்ச சம்பளம் ரூ. 26 ஆவது கொடுக்கப்பட வேண்டும். அந்த அடிப்படையில் தொழில் கோர்ட்டு தீர்ப்புக் கொடுத்திருக்கிறது. அதன்படியே கை நெசவுத் தொழிலாளர்களுக்குப் கொடுத்து வருகிறது. அந்த அடிப்படையில் ஒவ்வொரு தொழிலாளிக்கும் உபரி வேலைக்கு நாலணா வீதம் கொடுக்க வேண்டும் என்றிருக்கிறது. ஆனால் அரசாங்கம் கொடுப்பது மூன்று அணாக்கள்தான். இன்னும் பல இடங்களில் மூன்று அணாக்களும் கொடுக்காமல் இரண்டு அணாக்கள் தான் கொடுத்துவருகிறார்கள். இந்த நிலைமையில் நமது அரசாங்கம் பீடித் தொழிலாளர்களுக்கு ஆயிரம் பீடி கட்டினால் ரூ. 1–4–3 கொடுக்க வேண்டும் என்று நிர்ணயம் செய்திருக்கிறார்கள். இது நியாயமா ? ஆயிரம் பீடி கட்டினால் அவனுக்கு ரூ. 1–4–3 கொடுத்தால் அவன் தன்னுடைய வாழ்க்கையை எப்படி நடத்த முடியும். ஸ்ரீ பி. வி. நாராயணசாமி

20th December 1954] [Sri M. Palaniyandi]

நாயுடு அவர்கள் தன்னுடைய ரிப்போர்ட்டில் பீடித் தொழிலிலுள்ள தொழிலாளிகளில் முப்பது சத விகிதம் க்ஷயரோகத்தால் பீடிக்கப்பட்டிருக்கிறார்கள் என்று எழுதியிருக்கிறார்கள். ஏன் ? அவர்களுக்குக் குறைந்த பட்ச சம்பளம் கொடுக்காததால்தான். ரூ. 30 என்று நிர்ணயித்த பிறகும் கூட அவர்களுக்கு சரியானபடி, சம்பளம் கொடுக்காததால்தான் அவர்கள் க்ஷயரோகத்தால் பீடிக்கப்பட்டிருக்கிறார்கள். இதை ஸ்ரீ பி. வி. நாராயணசாமி நாயுடு அவர்களே தன்னுடைய ரிப்போர்ட்டில் குறிப்பிட்டிருக்கிறார். ஆகவே சர்க்கார் இதையெல்லாம் நிச்சயமாக கவனித்து அவர்களுக்குக் குறைந்தபட்ச சம்பளம் கொடுப்பதை நிர்ணயிக்கவேண்டும். சர்க்காருடைய கணக்கில் இருக்கும் 12 வகை தொழிலாளர்களையும் தங்களுடைய கவனத்தில் வைத்துக்கொள்ளவேண்டும். மற்றும் போக்குவரத்து தொழிலாளர்கள் இருக்கிறார்கள்.

" நிச்சயமாக எனக்குத் தெரியும். பல இடங்களிலே இரண்டு ரூபாய், இரண்டேகால் ரூபாய் வரையில் இந்த பீடி சுருட்டும் தொழிலாளிகளுக்குக் கொடுக்கப்படுகிறது. அப்படியிருக்கும்போது சர்க்கார் ஏன் குறைந்த பட்ச கூலி ஒரு ரூபாய் நாலேகால் அணு என்று நிர்ணயித்திருக்கிறார்கள் என்றுதான் நான் கேட்க விரும்புகிறேன். பீடி முதலாளிகளுக்கு லாபம் இல்லையா? நிறைய லாபம் இருக்கிறதென்று தொழில் கோர்ட்டே தீர்ப்புக் கொடுத்திருக்கிறது. டாக்டர் நாராயணசாமி நாயுடு அவர்கள் அந்தத் தொழிலைப்பற்றி நன்கு பரிசிலனை செய்து கொடுத்திருக்கும் தனது ரிப்போர்ட்டில் பல உண்மைகளை வெளியிட்டுருக்கிறார். பீடித்தொழிலில் ஈடுபட்டிருப்பவர்களில் நூற்றுக்கு முப்பது பேர்கள் க்ஷயரோகத்தினால் பீடிக்கப்பட்டிருக்கிறார்கள் என்று சொல்லுகிறார். அவர்களுடைய வீடுகள் இருக்கும் நிலைமை, அவர்களுடைய சாப்பாட்டு நிலைமை போன்ற சூழ் நிலைகளோடு, அவர்கள் தொழிற்சாலையில் புகையிலையைச் சுருட்டி பீடி தயாரிக்கும்போது வெகு சுலபத்தில் டீ. பி. யினால் பாதிக்கப்படுகிறார்கள் என்று அவர் சொல்லுகிறார். இதை அரசாங்கம் நன்கு கவனிக்க வேண்டும். அன்றாட வாழ்க்கைக்கு மிக அத்தியாவச்சியமான குறைந்த பட்ச கூலியாவது அவர்களுக்குக் கிடைக்கும்படி செய்யவேண்டும். இவர்கள் விதிக்கக்கூடிய கூலி விகிதத்தை எல்லா பீடி பாக்டரி முதலாளிகளும் கொடுக்கும்படி கண்டிப்பான நடவடிக்கையை சர்க்கார் எடுத்துக்கொள்ளவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன். 3 p.m.

" அடுத்தபடியாக சர்க்கார் ஒரு முக்கியமான விஷயத்தை ஞாபகத்தில் வைத்துக்கொள்ளவேண்டும். இவர்கள் கூலிகளுக்கு எவ்வளவு குறைந்த பட்ச கூலி கொடுக்கவேண்டுமென்று நிர்ணயிக்கிறார்களோ அதே குறைந்தபட்சக் கூலியையாவது அரசாங்கத்திலேயே வேலைசெய்கின்ற தொழிலாளிகளுக்குக் கொடுக்கவேண்டியது மிகவும் அவசியமாகும். இவர்கள் இப்படிக் கொடுத்து வழிகாட்டினால்தான் மற்றவர்களும் இவர்கள் காட்டுகின்ற வழிப்படியே நடப்பார்கள்.

" இன்றைக்கு பீடி, சுருட்டு தொழிலில் ஈடுபட்டிருக்கும் முதலாளிகளுக்கு நல்ல லாபம் வருகின்றது. அதனால் அரசாங்கத்திற்கும் நல்ல வருமானம் இருக்கின்றது. ஆகவே அந்தத் தொழிலில் ஈடுபட்டிருக்கும் தொழிலாளர்களுக்கு வேண்டிய வசதிகளை யெல்லாம் செய்துகொடுக்க சர்க்கார் ஏற்பாடு செய்தாகவேண்டும்.

" தென்னாட்டிலே அதிலும் குறிப்பாக திருநெல்வேலி ஜில்லாவில் முக்கூடல் போன்ற இடங்களிலே பீடித் தொழில் குடிசைத் தொழிலாக நடத்தப்பட்டு வருகிறது. அங்கே, பத்தணு பதினைலணு என்று ஆயிரம் பீடி சுற்றுவதற்குச் சம்பளம் கொடுக்கப்படுகிறது. அதே சமயத்தில் லட்சக்கணக்கான ரூபாய் லாபம் அந்தத் தொழிற்சாலைகளில் முதலாளிக்கு வந்துகொண்டிருக்கிறது. அதுவும் யானைக்கு பாதாம் ஹல்வா ஊட்டக் கூடிய நிலைமையில் அவர்களிடம் பணம் நாளுக்கு நாள் பெருகிக்கொண்டேயிருக்கிறது. இதையெல்லாம் கவனித்து சர்க்கார் அவர்களுடைய சம்பள விகிதத்தை நல்ல அடிப்படையில் நிர்ணயிக்க

வேண்டியது இருக்க, இந்த ராஜ்யத்திலேயே பல இடங்களில் ஆயிரம் பீடிக்கு இரண்டு ரூபாய் ஒண்ணேமுக்கால் ரூபாய் கொடுத்துக்கொண்டிருக்கும்போது இவர்கள் ஒரு ரூபாய், நாலேகால் அணு கொடுக்க வேண்டுமென்று நிர்ணயித்திருப்பது ரொம்பவும் வருந்தவேண்டிய விஷயமாகும். இதை அரசாங்கம் மறுபடியும் பரிசீலனை செய்யவேண்டியதும் மிக அவசியம். அவர்களுக்கு மிக அதிகச் சம்பளம் கொடுக்க வேண்டும். அவர்கள் மாடி வீட்டில் வசிக்கக்கூடிய நிலைமையை உண்டு பண்ணிக்கொடுக்க வேண்டுமென்றெல்லாம் நாங்கள் சொல்லவும் இல்லை. கனவு காணவும்கூட இல்லை. ஆனால் நாங்கள் கேட்பது எல்லாம் இது தான். அவர்களது வாழ்க்கைத்தரத்தை உயர்த்தக்கூடிய சம்பளத்தை—சர்க்காரின் பொருளாதார அதிகாரிகள் அவ்வப்போது வெளியிடுகின்ற வாழ்க்கைப் புள்ளி விவரம் இருக்கிறது. அதன் அடிப்படையிலாவது உடனடியாக நிர்ணயித்தாகவேண்டும். சம்பளத்தை நிர்ணயிக்கும்போது அதனால் அந்தத் தொழிற்சாலைகளை நடத்தும் முதலாளிகளுக்குக் கிடைக்கின்ற நிகர லாபமும் எவ்வளவு என்பதைத் கணக்கில் வைத்துக்கொண்டு அதற்குத் தக்கபடி நிர்ணயிக்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். இது சம்பந்தப்பட்ட எல்லாரையும் அழைத்து வைத்துக்கொண்டு ஆலோசனை நடத்தி சுமுகமான ஒரு முடிவுக்கு வருவதற்கான நடவடிக்கையை சர்க்கார் உடனடியாக எடுக்கவேண்டுமென்று கேட்டுக் கொண்டு நான் முடித்துக் கொள்ளுகிறேன்."

3.05 p.m. * **Sri R. KRISHNAN**:—"മിസ്റ്റർ സ്പീക്കർ, സർ, ബീഡിത്തൊഴിലാളികളുടെ ചുരുങ്ങിയ കൂലി നിജപ്പെടുത്തുമ്പോൾ നിലവിലുള്ള കൂലിയിൽത്തന്നെ കുറവ് വരുത്തിക്കൊണ്ടുള്ള ഒരു നിരക്കുവയ്ക്കുകയെന്നുള്ളതു് ആയിരക്കണക്കിനുള്ള തൊഴിലാളികളുടെ വയററത്തടിക്കലാണ്. ഞാൻ വരുന്നതു് പാലക്കാട്ട് താലൂക്കിൽ നിന്നാണ്. അവിടെ ഇന്ന് ആയിരം ബീഡിക്ക് 2 ഉറുപ്പിക മുതൽ 2 ഉറുപ്പിക 2 ണ. വരെ കൂലിയുണ്ട്. നാലായിരത്തിലധികം തൊഴിലാളികൾ അവിടെ മാത്രം ഈ തൊഴിലിൽ ഏർപ്പെട്ടിരിക്കുന്നു. അവരുടെ കുടുംബാംഗങ്ങളുൾപ്പെടെ ഒരു വലിയ വിഭാഗം ആളുകൾ ഇതുകൊണ്ടുവജീവിക്കുന്നവരാണ്. 2 ക, 2 ക. 2 ണ. വരെ മുതലാളിമാർ ഇന്ന് കൊടുക്കുന്നുണ്ട്. എന്നാൽത്തന്നെയും മുതലാളിമാർക്ക് 6 ണ മുതൽ 8 ണ. വരെ ലാഭം കിട്ടുന്നുണ്ട്. ചെറിയ മുതലാളിമാർക്കു പോലും ഈ കൂലി കൂടുതലാണെന്ന ആക്ഷേപമില്ല. നൂറും നൂററമ്പതും ആളുകളെ വെച്ചു ജോലി ചെയ്യിക്കുന്ന വലിയ മുതലാളിമാരുമുണ്ട്. അവരും കൂലി കുറയ്ക്കാൻ ഒത്താരുമിച്ചുകൊണ്ട് പരസ്യമായി ശ്രമിച്ചിട്ടില്ല. എന്നിട്ടുപോലും ഗവൺമെണ്ട് നിശ്ചയിച്ചിരിക്കുന്ന കുറഞ്ഞ കൂലി 1 ക. 4 ണ. യാണ്. ഇതു് വമ്പിച്ച അനീതിയാണ്. ബീഡിവ്യവസായത്തിൽ ജോലിസമയം നോക്കിയല്ല കൂലി കൊടുക്കുന്നതു്. ആയിരം ബീഡിക്ക് ഇന്ന കൂലി എന്നാണ് കണക്ക്. ഒരു കരാറുവണിയാണിതു്. ബീഡിത്തൊഴിലാളികൾക്ക് മുഴുവൻ സമയവും ജോലി കിട്ടുന്നതു് വളരെ ചുരുക്കമാണ്. സാധാരണ തൊഴിലാളികൾക്ക് ആയിരം ബീഡി തെരക്കാൻ കിട്ടാറില്ല. ദിവസം നാനൂറോ അഞ്ഞൂറോ ബീഡിക്കു മാത്രമേ തൊഴിൽ കിട്ടാറുള്ളൂ. ഉല്പാദനം വർദ്ധിപ്പിക്കുന്നതു് തൊഴിലാളികൾക്ക് മുഴുവൻ സമയവും വേല കൊടുത്തിട്ടല്ല. അയ്യായിരം ബീഡി മാർക്കററിൽ ചെലവുള്ള ഒരു മുതലാളി ആവശ്യമുള്ളതിന്റെ ഇരട്ടി തൊഴിലാളികളെ വെച്ചാണ് അതു് തെരപ്പിക്കുന്നതു്. ബീഡി മുതലാളിമാരെല്ലാം ഇന്ന് ബ്രാഞ്ച് സമ്പ്രദായം സ്വീകരിച്ചിരിക്കയാണ് തൊഴിലാളികളുടെ ഇടയിലെ യൂണിയൻ മനഃസ്ഥിതി ഇല്ലാതാക്കി അവരെ തങ്ങളുടെ ചൊല്പടിക്ക് നിറുത്തുന്നതിന് മുതലാളിമാർ കണ്ടുപിടിച്ചിരിക്കുന്ന ഒരടവാണിതു്. ഇതെല്ലാമായിട്ടും കൂലി കുറയ്ക്കാൻ മുതലാളിമാർക്ക് ഇതേവരെ സാധിച്ചിട്ടില്ല. അവർ അതിന് ഒരുമ്പെട്ടിട്ടുമില്ല. അങ്ങനെയിരിക്കുമ്പോഴാണ് ഗവൺമെണ്ടിന്റെ ഈ തീരുമാനം. ഈ തീരുമാനം പുറത്തായതിനുശേഷം തൊഴിലാളികളുടെ നില വലിയ പരുങ്ങലിലായിട്ടുണ്ട്. • നാട്ടിലെ ബീഡിത്തൊഴിലാളികളാകെ ഇന്നു സംഭ്രാന്തരായിരിക്കുകയാണ്. കുറഞ്ഞ കൂലി നിജപ്പെടുമ്പോൾ ഇന്ന് നിലവിലുള്ള നിരക്കിൽനിന്നു ഒരു പൈ പോലും കുറയ്ക്കാൻ പാടില്ല. മലബാറിലാകെയുള്ള ബീഡിത്തൊഴിലാളികളുടെ പ്രതിനിധികളടങ്ങിയ ഒരു വമ്പിച്ച ജാഥ ഇവിടെ വന്ന് ബഹുമാനപ്പെട്ട മുഖ്യമന്ത്രിയുടെ മുമ്പിൽ നിവേദനം നടത്തിയിട്ടുണ്ട്. ബീഡിത്തൊഴിലാളികൾക്ക് അധികകാലം ആ തൊഴിൽ ചെയ്യാൻ സാദ്ധ്യമല്ല. ബീഡിത്തൊഴിലാളിയെ പല

വിധ രോഗങ്ങളും പിടികൂടുന്നു. നല്ല ആരോഗ്യവും ശേഷിയുമുള്ള യൌവ്വനകാലത്തു മാത്രമേ ഒരു ബീഡിതൊഴിലാളിക്കു് തൊഴിൽ ചെയ്യാൻ സാധിക്കൂ. ഭക്ഷണത്തിനും ചായക്കും മററുമായി കിട്ടുന്ന കൂലി മുഴുവൻ ചിലവാക്കിയാലും തികയുന്നില്ല. രണ്ടുരൂപ്പിക കൂലി കിട്ടിയാലും അവനു് എന്തെങ്കിലും മിച്ചം വെയ്ക്കാൻ കാണുകയില്ല. അവന്റെയും കുടുംബത്തിന്റെയും കഷ്ടിച്ചു് ചെലവു് കഴിഞ്ഞുവന്നു വരും. അങ്ങനെയിരിക്കുമ്പോൾ ഇന്നു് നിലവിലുള്ള കൂലി കുറയ്ക്കുന്നതിനു യാതൊരു നീതീകരണവും സാദ്ധ്യമല്ല. അതുകൊണ്ടു് കുറഞ്ഞ കൂലി 2 ക. 4 ണ. എങ്കിലുമായി നിജപ്പെടുത്തണമെന്നപേക്ഷിച്ചുകൊണ്ടു് ഞാൻ അവസാനിപ്പിച്ചുകൊള്ളുന്നു.''

Sri P. RAMAMURTHI :—'' கனம் சபாநாயகர் அவர்களே, இப்பொழுது வந்திருக்கக்கூடிய இந்தப் பிரச்னையில் தொழிலாளி வர்க்கத்திற்கு ஏற்பட்டுள்ள சில சட்டங்களை எந்த வகையில் சர்க்கார் கையாளுகிறது, எந்த வகையில் அமுலுக்குக் கொண்டுவருகிறது என்ற ஒரு முக்கியமான விஷயம் இதில் அடங்கியிருக்கிறது. 3-10 p.m.

''குறைந்த பட்சக் கூலிச் சட்டம் (Minimum Wages Act) என்பது 1948-வது வருஷத்தில் இந்த நாட்டில் இருக்கக்கூடிய தொழிலாளி வர்க்கம் நீண்ட நெடுங்காலமாக போராட்டம் நடத்திய பிறகு, அதன் விளைவாக அவர்களுக்கு நன்மை செய்யவேண்டுமென்பதற்காக ஏற்பட்ட ஒரு சட்டமாகும். பல தொழில்களில் மிகவும் கோரமான முறையில் தொழிலாளிகள் பாதிக்கப்படுகிறார்கள், சுரண்டப்படுகிறார்கள். ஆகவே, இந்தச் சுரண்டலின் அளவைக் குறைக்கவேண்டுமென்ற நீண்ட போராட்டத்திற்குப் பிறகு ஏற்பட்ட சட்டம்தான் இந்தக் குறைந்த பட்சக் கூலிச் சட்டம்.

''அதிலே 12 தொழில்களைக் குறிப்பிட்டு, இவைகளிலெல்லாம் தொழிலாளிகள் மிகவும் மோசமாகச் சுரண்டப்படுகிறார்கள் என்று சுட்டிக்காட்டி அந்தச் சுரண்டல் இருக்க முடியாது, அதற்குக் குறைந்தபட்சக் கூலியை நிர்ணயித்தாகவேண்டுமென்று முடிவு செய்து, கூலியை நிர்ணயிக்கும் பொறுப்பை ராஜ்ய சர்க்கார்களிடம் ஒப்படைத்தார்கள். சென்னை சர்க்கார் இது சம்பந்தமாக எப்படி நடந்து வந்திருக்கிறது என்பதுதான் பிரச்னை.

''குறைந்தபட்சக் கூலி என்றால் என்ன அர்த்தம்? சென்னை சர்க்கார் அதை எப்படி புரிந்துகொண்டிருக்கிறது? இருப்பதற்குள் எந்தக் கூலி குறைவாக இருக்கிறதுதோ அதைக் கெஜட்டில் போட்டு விட்டு, இதுதான் குறைந்தபட்சக் கூலி என்று சொல்வது சென்னை சர்க்காரின் கொள்கையாக இருந்து வருகிறது.

''1950-வது வருஷத்தில் இந்தக் கூலி விகிதம் நிர்ணயிக்கப்பட்டது. அன்றிருந்த நிலைமையில் ரூ. 1-2-0 அனேகமாக இந்த ராஜ்யத்தில் மிகவும் குறைந்த கூலியாகும். இது சிறிய முதலாளிகள் கொடுத்துக் கொண்டுவந்த கூலியாகும். அதற்கு அதிகமாக கூலியையும் அன்றைக்குக் கொடுத்துவந்தார்கள். ரூ. 1-2-0-க்கும் அதிகமாக கூலி விகிதம் அந்தக் காலத்தில் இருந்தும், அப்பொழுது இருப்பதற்குள் மிகவும் குறைவான கூலியை குறைந்தபட்சக் கூலி என்று நிர்ணயித்து கெஜட்டில் சர்க்கார் பிரசுரம் செய்துவிட்டார்கள். நான்கு வருஷங்களுக்குப் பிறகு இன்று அதை ரூ. 1-4-0 என்று ஆக்குவதற்கு ஒரு ''ட்ராப்ட் நோடிபிகேஷன்'' இன்றைக்கு அனுப்பியிருக்கிறார்கள். ஆகவே குறைந்த பட்சக் கூலி என்பதைப்பற்றிய கருத்தே சென்னை சர்க்காரைப் பொருத்த வரையில் தவறான கருத்தாக இருக்கிறது.

''சர்க்கரை இனிக்கும்'' என்று காகிதத்தில் எழுதி அதைபார்த்துக் கொண்டிருந்துவிட்டால் அது எப்படி இனிக்காதோ, அதே போல குறைந்தபட்சக் கூலிச் சட்டம் என்று ஒரு சட்டத்தை இயற்றி விட்டு அதன்படி குறைந்தபட்சக் கூலி கொடுத்துவிட்டோம் என்று சொல்வதும் இருக்கிறது.

[Sri P. Ramamurthi] [20th December 1954

"குறைந்தபட்சக் கூலிச் சட்டத்தை என்ன முறையில் சென்னை சர்க்கார் அனுஷ்டித்து வருகிறார்கள்? குறைந்தபட்சக் கூலியை நிர்ணயிப்பதற்காக சென்னை சர்க்காருக்குப் பலவகைப்பட்ட கமிட்டிகள் ஏற்படுத்திக்கொள்ள வசதிகள் இருக்கின்றன. **1949**-ம் வருஷத்தில் இந்திய சர்க்காரால் ஏற்படுத்தப்பட்ட **fair wages** கமிட்டி ரிபோர்ட் கொடுத்திருக்கிறார்கள். ராவ் கமிட்டியும் ரிபோர்ட் சமர்ப்பித்திருக்கிறார்கள். குறைந்த கூலி நிர்ணயிப்பது சம்பந்தமாக அவர்கள் சில தத்துவங்களை வரையறுத்திருக்கிறார்கள். அந்தத் தத்துவங்களின் பக்கத்தில் கூட சென்னை சர்க்கார் தலைவைத்துப் படுப்பதுகூட கிடையாது. இதற்கு ஒரு உதாரணம் கூற விரும்புகிறேன். மத்திய சர்க்கார் சமீபத்தில் ஒரு விசாரணைக் கமிட்டியை நியமித்து, அந்தக் கமிட்டியின் யாதாஸ்து இரண்டு மாதங்களுக்குமுன் வெளி வந்திருக்கிறது. அந்த யாதாஸ்தில், சென்னை ராஜ்யத்திலுள்ள பீடித் தொழிற்சாலைகளில் சட்டத்தை மீறி குழந்தைகளை வேலைவாங்கும்படியான முறை அகோரமாக இருந்துவருகிறது. வேறு எங்கும் இல்லாத முறையில் சென்னையில் இருந்துவருகிறது" என்று புள்ளி விவரங்களோடு மத்திய சர்க்கார் நியமித்த விசாரணைக் கமிட்டி கூறுகிறது. 'அதிகாரிகள் பீடித் தொழிற்சாலைகளுக்குப் போகும்போது அங்கிருந்து குழந்தைகளை அனுப்பிவிடுகிறார்கள். இதுதான் நடந்துவருகிறது' என்றும் மத்திய சர்க்கார் நியமித்த கமிட்டி மேலும் கூறுகிறது. அந்தக் கமிட்டியின் ரிபோர்ட் மந்திரியாருக்குத் தெரியுமா தெரியாதா என்பது எனக்குத் தெரியாது. ஏனென்று கேட்டால், ஒரு வாரத்திற்கு முன்பாக நான் லேபர் கமிஷனர் காரியாலயத்திற்குப் போய் விசாரித்தபோது அங்கு அப்படிப்பட்ட ரிப்போர்ட் வந்திருக்கவேயில்லை என்று தெரியவந்தது.

"குறைந்த பட்ச கூலி எப்படி நிர்ணயிக்கப்பட்டது என்பதுதான் பிரச்னை. **1949**-ம் வருஷத்திலே இதை நிர்ணயிப்பதற்காக இந்தச் சட்டததில் சொல்லியிருக்கக்கூடிய முறைப்படி முதல் முதலில் நிர்ணயிக்கும்போது இந்தப் பலதரப்பட்ட தொழில்களுக்கு வெவ்வேறு கமிட்டிகள் போடலாம் என இருக்கிறது. இந்தக் கமிட்டிகள் விசாரணை செய்து கொடுக்கும்படியான யோசனைகளை ஆலோசனை செய்த பிறகு சர்க்கார் குறைந்தபட்சக் கூலியை நிர்ணயித்துக் குறிப்பிட்டு அறிக்கை விடலாம் என்று ஒரு வழி இருக்கிறது.

"இன்னொரு வழி இருக்கிறது சென்னை சர்க்காரே தற்காலிகமாக குறைந்தபட்சக் கூலியை நிர்ணயித்து கெஜட்டில் முதலில் பிரசுரம் செய்துவிட்டு, சம்பந்தப்பட்ட தொழிற் சங்கங்களையும், முதலாளிகளையும் அவர்களுடைய அபிப்பிராயங்களை எழுதச் சொல்லும்படிக் கேட்கலாம். அபிப்பிராயங்கள் வந்த பிறகு, கூடி ஆலோசனை செய்த பிறகு, சென்னை சர்க்காரே குறைந்தபட்சக் கூலியை நிர்ணயிக்கலாம் என்று சொல்லப் படுகிறது.

"ஒரு கமிட்டியை நியமித்து அதன் மூலமாக விசாரணை செய்து அதற்குப் பிறகு குறைந்தபட்சக் கூலியை நிர்ணயிக்கும் முறையை நமது சென்னை சர்க்கார் அனுஷ்டிக்கவில்லை. ஆனால், சென்னை சர்க்கார் அனுஷ்டிக்கும் முறைதான் என்ன? சர்க்கார் தாங்களே கூலியை நிர்ணயித்து, கெஜட்டில் பிரசுரித்தால், அதன்பிறகு தொழிற் சங்கங்கள் ஆலோசனை சொல்லலாம் என்று சொன்னார்கள், **1949**-ம் வருஷத்தில். இந்த ராஜ்யத்தில் உள்ள மிகப் பெரிய தொழிற் சங்கங்கள் அன்றைய தினம் தங்களுடைய யோசனையை எடுத்துச்சொல்வதற்கு முடியவில்லை. ஏனென்று கேட்டால், அப்பொழுது தொழிலாளர்கள் அடக்குமுறைகளுக்கு உள்ளாகி, அந்தத் தொழிற் சங்கங்கள் சட்ட விரோதமாக்கப்பட்டு இருக்கக்கூடிய காலத்தில், 'தொழிற் சங்கங்களே, உங்களுடைய யோசனையைச் கூறுங்கள்' என்று சொன்னால், அவர்கள் எப்படிச் சொல்ல முடியும்? யோசனை சொல்லக்கூடிய தொழிற் சங்கங்களெல்லாம் சட்ட விரோதமாக்கப்பட்டிருந்த அந்த நிலைமையில் சர்க்காருக்கு யோசனை சொல்ல

20th December 1954] [Sri P. Ramamurthi]

முடியவில்லை. ஆகவே, எந்த விதமான யோசனையும் வரவில்லை. அதனால், சர்க்கார் நிர்ணயித்த குறைந்தபட்சக் கூலி விகிதமே ஊர்ஜிதம் செய்யப்பட்டு இப்பொழுது கிட்டத்தட்ட ஐந்து வருஷம் ஆகப் போகின்றது.

"ஜனவரி மாதத்தில் மைசூரில் நடந்த மகாநாட்டில் குறைந்தபட்சக் கூலி நிர்ணயம் சம்பந்தமாக விவாதம் நடந்தது. அந்த சமயத்தில் நாங்கள் இதைத் தெரிவித்தோம். சென்னை சர்க்காரில் அப்பொழுது தொழிலாளர் மந்திரியாக இருந்த டாக்டர் கிருஷ்ண ராவ் அவர்களும், மத்திய சர்க்காரின் தொழிலாளர் மந்திரியாக இருந்த ஸ்ரீ வி. வி. கிரி அவர்களும் அந்த சமயத்தில் அங்கு வந்திருந்தார்கள். டாக்டர் கிருஷ்ண ராவ் அன்றைக்கு இவ்விஷயத்தை மறுக்கவில்லை. ஸ்ரீ கிரி அவர்களும் ஏற்றுக்கொண்டார். இவ்வளவும் சென்னை சர்க்காருக்குத் தெரியும். அதற்குப்பிறகும் நடவடிக்கை எடுக்கவில்லை.

" குறைந்தபட்சக் கூலி சட்டத்தின் (Minimum Wages Act) 6-வது செக்ஷன் கூறுவதாவது :—

'**6.** *Advisory Committees and Sub-Committees*—For the purpose of revising minimum rates of wages fixed under this Act, the appropriate Government shall appoint as many advisory committees and sub-committees as it considers necessery to inquire into the conditions prevailing in any scheduled employment and to advise the appropriate Government in making such revision in respect of that employment.'

மேலே கூறியிருக்கக்கூடிய தொழில்களிலே சம்பளத்தை எப்படி திருத்தியமைக்கலாம் என்பதற்காக கமிட்டிகளை ஏற்படுத்தலாம் என்று 6-வது செக்ஷன் கூறுகிறது.

" அந்தச் சட்டத்தின் 7-வது செக்ஷன் கூறுவதாவது :—

'**7.** *Advisory Board.*— For the purpose of co-ordinating the work of committees, sub-committees, advisory committees and advisory sub-committees appointed under sections 5 and 6 and advising the appropriate Government generally in the matter of fixing and revising minimum rates of wages, the appropriate Government shall appoint an Advisory Board.'

மேலே குறிப்பிட்டிருக்கக்கூடிய பல கமிட்டிகளினுடைய வேலைகளை நிர்ணயிப்பதற்காகவும் மேற்பார்வை பார்ப்பதற்காகவும், பொதுவாக அரசாங்கத்திற்கு ஆலோசனை கூறுவதற்காகவும் ஒரு அட்வைசரி போர்டை ஏற்படுத்தலாம் என்று 7-வது செக்ஷன் கூறுகிறது.

" நமது சர்க்கார் அனுஷ்டிக்கும் முறை என்ன ? அட்வைசரி போர்டை ஏற்படுத்தியாய்விட்டது. ஆனால் குறுப்பிட்ட தொழில்களுக்கு கமிட்டிகள் கிடையாது. அப்படியென்றால் அட்வைசரி போர்டு எப்படி கமிட்டிகளினுடைய வேலைகளை நிர்ணயித்து, மேல்பார்வை பார்ப்பது என்பது யாருக்கும் தெரியாது சர்க்காருக்குத்தான் தெரியும். நமக்குத் தெரியாது. கமிட்டிகளுக்கு அநேகமாக வேலையே இல்லை என்ற நிலை இருந்துவருகிறது. இந்த நிலைமையில் இருந்தால் அதற்கு என்ன அர்த்தம் ? இந்தப் பிரச்னையில் சர்க்காருக்கு சிரத்தை கிடையாது என்பதுதான் அர்த்தம்.

" பாக்டரி ஆக்ட்'டை அமுல் நடத்துவதில் எப்படி சர்க்கார் போதிய கவனம் செலுத்துவது கிடையாதோ, அதே முறையில்தான் இந்த குறைந்தபட்ச கூலி சட்டத்திலும் சர்க்காருக்கு எந்தவிதமான அக்கறையும் கிடையாது. இந்த மாகாணத்திலுள்ள மிகப் பெரிய தொழில்களில் ஒன்றுகிய பீடித் தொழிலில் ஈடுபட்டிருக்கும் தொழிலாளர்கள் ஏற்கனவே எந்த நிலைமையில் இருந்தார்களோ அதே நிலைமையில்தான் இன்னும் இருந்து வருகிறார்கள். இருக்கக்கூடிய சட்டத்தைச் சரியாக அமுல் நடத்துவதற்குப் பதிலாக கண் துடைப்பு வேலையாகத்தான் சர்க்காருடைய போக்கு இருந்து வருகிறது.

" சர்க்காருக்கு ஒரு யோசனை கூற விரும்புகிறேன். இது சம்பந்தமாக மந்திரி அவர்கள் பதில் சொல்லக்கூடிய காலத்தில் இதை ஏற்றுக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்கின்றேன். உடனடியாக இந்த தொழிலில் ஈடுபட்டுள்ளவர்களுடைய சம்பளத்தைத் திருத்துவது எப்படி என்று ஆலோசனை செய்வதைக் குறிக்கோளாகக் கொண்டு 6-வது செக்ஷனின்கீழ் சொல்லி இருப்பதுபோல் ஒரு கமிட்டியை உடனடியாக ஏற்படுத்தி, தொழிற் சங்கங்களின் பிரதிநிதிகளுக்குப் போதிய பிரதிநிதித்துவம் கொடுத்து, அவர்கள் சொல்லும்படியான யோசனையை ஏற்றுக்கொள்ளும்படியாக ஒரு உத்தரவை சர்க்கார் கொடுக்குமானால், இந்தத் தொழில் மட்டுமல்ல, இச்சட்டத்தில் குறிப்பிடப்பட்டுள்ள 12 தொழில்களும் இன்னும் நல்ல முறையில் வளர்ச்சியடைய முடியும். ஒவ்வொரு தொழிலுக்கும் தனித் தனி அட்வைசரி கமிட்டிகள் ஏற்படுத்தி, ஐந்து ஆண்டுகள் முடிவதற்கு உள்ளாகவே, இந்தக் கமிட்டிகள் இரண்டொரு மாதங்களுக்கு முன்னதாகவே வேலையைப் பூர்த்தி செய்யவேண்டுமென்று குறிப்பாகக் கட்டாயப் படுத்தி, அந்தக் கமிட்டிகளின் யோசனையை ஏற்றுக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்கிறேன். அப்பொழுதுதான் இச் சட்டத்தினுடைய நோக்கத்தை சர்க்கார் நிறைவேற்றியவர்களாவார்கள் என்று சொல்லி என்னுடைய வார்த்தையை முடித்துக்கொள்கிறேன்."

3–20 p.m. SRI K. P. GOPALAN :—" On behalf of the leader of the jatha that came here from Malabar and 28 representatives representing South Kanara, Malabar and Tamilnad, I submit this humble petition to this House. The demand made in the petition is to raise the minimum wage to Rs. 2–4–0 for thousand beedies and Rs. 3 for thousand cigars."

(The Member presented the petition to the Secretary.)

* THE HON. SRI M. BHAKTAVATSALAM :—" Mr. Speaker, Sir, under the Minimum Wages Act of 1948, the Government have power to fix the minimum wage for those who are employed in the tobacco industry including the beedi-making industry. As has been pointed out by Sri K. P. Gopalan, it must be understood that the minimum wage does not mean the maximum wage. The wage fixed under the Minimum Wages Act, should be paid even by the uneconomic establishments and even to the most inefficient worker. But workers are not precluded from demanding and bargaining for more wages depending upon the quality and outturn of work and the capacity of the establishment to pay. The fixation of minimum wages under the Act does not shut out the enhancement of the wages. Further, it may be noted that the wage of Re. 1–4–3 proposed to be fixed is for a unit of 1,000 beedies and not for a day. Minimum wages under the minimum Wages Act were first fixed on 27th December 1950. I would like to tell Sri K. P. Gopalan the basis on which minimum wages were fixed in 1950. Dr. B. V. Narayanaswami Naidu, who was appointed as a Court of Enquiry, went into matters relating to the tobacco industry and recommended that for 1,000 beedies the minimum wage should be fixed at Re. 1–2–0. He added that to this wage should be added by way of dearness allowance one anna, two annas, three annas or four annas, the actual amount depending on the cost of living index. This recommendation of Dr. Narayanaswami Naidu was accepted

20th December 1954] [Sri M. Bhaktavatsalam]

in toto by the Government in 1950. But some employer questioned the validity of the order of this Government in the High Court. The High Court ruled that the wage fixed under the Minimum Wages Act should not be correlated with dearness allowance and declared the notification to be invalid. At that time, no minimum wage was fixed and there was an agitation by the workers for fixation of the minimum wage. The Government took up the question and issued a notification fixing the minimum wage at Re. 1–4–3 and without any reference to dearness allowance. This notification was based almost entirely on the previous notification, changes being made only to meet the legal objections. It was pointed out to me that this was simply re-notifying the minimum wage after removing the legal objections. The wage could have been fixed strictly mathematically at Re. 1–4–0. But it was fixed at Re. 1–4–3. I would like to tell the hon. Members who sought to level very serious charges against the Government that this is only a preliminary notification. The Advisory Board that was referred to by the Leader of the Opposition was constituted, and Sri K. P. Gopalan, who very vehemently raised this question, is a member of that Board. I was surprised to find that he took all the trouble of bringing a jatha all the way from Malabar to tell us that the minimum wage was not adequate. But he did not attend the meeting of the Board when it considered the question of minimum wage in the beedi industry."

Sri K. P. Gopalan :—" I rise on a point of personal explanation, Sir. The agenda was sent to my place, while I was here. I have been in this place since 24th November. I would have been very glad to take part in the debate but there was some confusion regarding the time. Three Members reached the place but by then the deliberations were over. We had a full discussion with the Labour Commissioner. The Hon. Minister for Labour knows that we stand for the working classes and that our life is dedicated to the working classes."

* The Hon. Sri M. Bhaktavatsalam :—" I did not mean that the hon. Member, who is enthusiastic and earnest, deliberately abstained from attending that meeting. Instead of bringing a jatha from Malabar, he could have managed to attend the meeting and offered his advice.

" As I pointed out, the notification published is only a preliminary notification. Objections and suggestions have been called for, and the last day for their submission is the 22nd of this month. Hon. Members, representatives of workers' unions and others should have taken note of it. Even now, there are two more days. People could offer their suggestions and objections. The Government will give due consideration to the representations that will be received. Therefore, with due respect to the hon. Member, I should say that he need not have been taken so much of the valuable time of this House at this stage."

[20th December 1954

* SRI P. RAMAMURTHI :—" I rise on a point of personal explanation, Sir. I know that the Madras Government have appointed an advisory board as provided in section 7 of the Minimum Wages Act. The board is for the purpose of co-ordinating the work of committees, sub-committees, advisory committees and advisory sub-committees appointed under sections 5 and 6 and advising the Government generally in the matter of fixing and revising minimum rates of wages. What I asked for was the appointment of committees and sub-committees as provided in section 6 for inquiring into the conditions prevailing in any scheduled employment and for advising the Government in revising the minimum rates of wages fixed under the Act in respect of that employment. In the absence of these committees and sub-committees, the Advisory Board has no work to co-ordinate; it has got only a general purpose to fulfil."

3-30 p.m. * THE HON. SRI M. BHAKTAVATSALAM :—" I shall look into the proposal of the hon. the Leader of the Opposition to appoint separate committees. But I would like to tell him that this Advisory Board which had been constituted did go specifically into the question of fixing the minimum wage for workers in the tobacco industry."

IV.—GOVERNMENT BILL—*cont.*

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954—*cont.*

MR. SPEAKER :—" Now, let us resume discussion on the Madras Dramatic Performances Bill. I fix a time-limit of ten minutes for each speaker. The discussion will continue till 5 p.m. when I shall call the hon. the Leader of the Opposition to speak. The Hon. Minister will reply to the debate at 5-30 p.m."

* SRI S. DAIVASIGAMONEY :—" Mr. Speaker, Sir, I submit that this is an absolutely unnecessary and unwanted piece of legislation. I find that in this Bill there is nothing new which has not been contemplated in the Indian Penal Code except for the fact that certain powers have been snatched away by the Government for endowing their subordinates with extraordinary powers to prohibit certain classes of dramas. This Bill is directed not against every dramatist but only against a particular class of dramatists. The Hon. the Finance Minister said that he had got the seal of approval for this Bill from the Dramatists' Association of Madras. I submit that this Bill affects chiefly not the professional dramatist, but the amateur dramatist. The professional dramatists have got an eye only on the Box Office collections but an amateur dramatist is mainly interested in shaping public opinion and in reforming the society. Looking at the question from that point of view, I submit that the Hon. the Finance Minister should take the opinion of not only the professional dramatists but also the amateur dramatists in general.

சங்கத்திடம் ஊரிலுள்ள நிலங்களை எல்லாம் சமமாகப் பங்கிட்டுக் கொடுக்கும்படியாக அதிகாரம் கொடுக்கப்பட்டது. ஆனால் நம் நாட்டிலே தாசில்தாரிடம் அதிகாரத்தைக் கொடுப்பார்களே தவிர மக்களிடம் கொடுக்க மாட்டார்கள். ரெவின்யூ இன்ஸ்பெக்டரிடம் ஒப்படைத்தாலும் ஒப்படைப்பார்களே தவிர மக்களிடம் ஒப்படைக்கமாட்டார்கள். இவர்களுக்கு மக்களிடம் எங்கே நம்பிக்கை இருக்கிறது, அரசாங்க அதிகாரிகளிடம் தானே நம்பிக்கை இருக்கிறது. அதிகார வர்க்கத்தினரின் கையிலே மேலும்மேலும் பல அதிகாரங்களைக் கொடுத்து அவர்கள் அதைத் துஷ்பிரயோகம் செய்யவும், அந்த அதிகாரத்தைக்கொண்டு பணத்தைச் சுரண்டவும் வசதியைத்தான் செய்து கொடுப்பார்களே தவிர மக்களுக்கு நல்ல முறையில் உதவி செய்யவேண்டுமென்ற கருத்தே இவர்களுக்குக் கிடையாது.

" அவர்களுடைய அடிப்படை எண்ணத்திலேயே தவறான கருத்துக்கள் இருப்பதின் காரணமாகத்தான் இன்றையதினம் இந்த நாடகத் தடைமசோதாவே கொண்டுவரப்படுகிறது. அதிலே சர்க்கார் மக்களைநம்பவில்லை, மக்களுக்கு ஏற்படக்கூடிய பொருள் நஷ்டத்தையும் மனக் கஷ்டத்தையும் உணரவில்லை. ஆகவே சொல்வது ஒன்றே தவிர வேறு ஒரு உட்கருத்தை வைத்தே இந்த மசோதாவை அவர்கள் கொண்டுவருகிறார்கள், அவர்களுக்கு அந்தரங்க சுத்தி கிடையாது, எந்தக் காரியத்திற்காக இந்த மசோதா கொண்டுவரப்படுவதாக அவர்கள் சொல்லுகிறார்களோ அந்தக் காரியத்திற்கு இந்த மசோதாவே தேவையில்லை, ஆகவே அவர்களுடைய அந்தரங்க சுத்திக்கே விரோதமான இந்த மசோதாவை அவர்கள் கொண்டுவந்திருப்பதன் காரணமாக அதைப் பலமாக ஆட்சேபித்து அதை வாபஸ் வாங்கவேண்டுமென்றும் தெரிவித்துக் கொண்டு முடித்துக்கொள்ளுகிறேன்."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, shall I reply to-day or tomorrow? because I am likely to take some time."

SRI M. KALYANASUNDARAM :—" If he replies tomorrow, he will encroach upon the time allotted tomorrow for clause by clause consideration of the Bill."

MR. SPEAKER :—" I have no objection if the House agrees to it."

* THE HON. SRI C. SUBRAMANIAM :—" I shall reply tomorrow."

MR. SPEAKER :—" The Hon. Minister says that he will reply tomorrow."

SRI P. RAMAMURTHI :—" If I had known it before, I would have taken some more time to finish my speech. I thought the Hon. Minister would reply to-day."

MR. SPEAKER :—" I now adjourn the House till 10 a.m. tomorrow."

The House then adjourned.

VI.—PAPER LAID ON THE TABLE OF THE HOUSE.

List of demands raised by the Madras Race Course Labour Union on behalf of the workers of the Madras Race Course, Guindy, and the decision of the Government on the demands (vide answer to Legislative Assembly starred question No. 72 given on 6th December 1954).

APPENDIX I.

[Vide answer to starred question No. 459 asked by Sri K. Madhavan Nambiar at the meeting of the Legislative Assembly held on 2(?)th December 1954, page 429 supra.]

Statement showing the receipts and disposal of claims of Producers-cum-Consumers' Co-operative Societies with the Civil Supplies Department.

Items of claims.	*Particulars of claims received.*		*Number of claims disposed of*		*Particulars of claims pending disposal with Civil Supplies Department.*		*Reasons for the delay in the disposal of claims.*
	Number of claims.	*Amount involved.*	*Number of claims.*	*Amount involved.*	*Number of claims.*	*Amount involved.*	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
		RS. A. P.		RS. A. P.		RS. A. P.	
1 Claims for subsidy on account of revision of prices.	132	7,71,802 2 10	12	59,057 15 7	120	7,12,744 3 3	The circumstances leading to the delay in the disposal of the claims are explained below :— (i) Most of the claims pending settlement were received in August and September 1954 after decontrol. In many cases society records from 1946 onwards have to be perused and subordinate officers report that the office-bearers of the Producers-*cum*-
2 Refund of excess collection of differential cost due to wrong raising of demands.	65	78,885 8 3	3	6,495 6 3	62	72,390 2 0	
3 Reimbursement of loss suffered due to belated receipt of orders, raising prices and collection of differential cost on stock existing on the date of revision.	93	17,245 5 8	..		93	17,245 5 8	
4 Reimbursement on account of sale of fine rice.	9	27,592 13 0	3	12,017 12 8	6	15,575 0 4	
5 Reimbursement due to sale of Orissa rice.	64	52,581 8 0	..		64	52,581 8 0	

TRUTH ALONE TRIUMPHS

Items of claims. (1)	Particulars of claims received. Number of claims. (2)	Amount involved. (3) RS. A. P.	Number of claims disposed of. Number of claims. (4)	Amount involved. (5) RS. A. P.	Particulars of claims pending disposal with Civil Supplies Department. Number of claims. (6)	Amount involved. (7) RS. A. P.	Resons for the delay in the disposel of claims. (8)
6 Reimbursement of loss suffered by Producers-*cum*-Consumers' Co-operative Societies due to wrong fixation of price.	48	11,352 8 5	1	722 5 5	47	10,630 3 0	Consumers' Co-operative Societies do not make themselves or their records available to checking officers. On account of lack of business most of the society offices remain closed. (ii) In certain other cases, Board and Government have to be addressed and, before that is done, responsibility for various defaults has to be fixed. This is not an easy matter and detailed investigation is necessary in several cases. In the case of shipments, extra state imports, etc., various rates have to be ascertained from senders who do not send prompt replies to references.
7 Cleaning charges incurred by Producers-*cum*-Consumers, Co-operative Societies for cleaning, sweepings and maged stuff and resultant shortage.	53	2,37,320 6 1	22	15,527 8 11	31	2,21,792 13 2	
8 Reimbursement of loss incurred on account of reclassification of rice.	125	2,62,243 13 6	..		125	2,62,243 13 6	
9 Subsidy towards transport and incidental charges.	255	3,21,306 9 9	25	1,05,056 10 8	230	2,16,249 15 1	
10 Miscellaneous claims ..	387	36,19,713 5 10	4	23,181 10 0	383	35,96,531 11 10	
Total ..	1,231	54,00,044 1 4	70	2,22,059 5 6	1,161	51,77,984 11 10	

(iii) The claims very often overlap and it is found that Producers-*cum* Consumers' Co-operative Societies have now claimed in some other form some items that have been settled before. Very careful sifting is therefore necessary and some society office-bearers, from all accounts, seem to be placing obstacles in the way of Checking Officers while at the same time exerting pressure at higher levels for settlement of dues with a view to get their claims paid off without much scrutiny.

The Collector is taking special steps to get full particulars required for speedy disposal of the claims and expects to dispose of all claims by the end of December 1954.

TAMIL NADU LEGISLATIVE ASSEMBLY TRUTH ALONE TRIUMPHS

20th December 1954]

APPENDIX II.

[Vide answer to starred question No. 461 asked by Sri C. Kunhirama Kurup at the meeting of the Legislative Assembly held on 20th December 1954, page 431 supra.]

List of Electricity Extension Schemes under execution and pending execution in Malabar district.

Serial number and name of the scheme. (1)	*Cost.* (2)	*Villages included in the scheme.* (3)	*Stage.* (4)
	RS.		
1 Extension of supply to Kollengode, Vadavanur and Koduvayur Panchayat areas.	5,30,820 (1st year). 6,50,360 (2–10 years).	Pudunagaram, Peruvamba and Koduvayur. Vattakad, Kollengode and Thenkurichi.	Energized. To be energized shortly.
2 Extension of supply to Alathur and adjoining villages.	3,46,150 (1st year). 4,29,350 (2–10 years).	Pallavoor, Parakulam, Kuniserri, Kavasseri, Naripotta, Allathu, Pudiyangam, Manjalore and Perinkulam.	Work under progress. Target date for completion, 31st December 1954.
3 Extention of supply to Kottayi-Varode villages.	1,70,800	Chennangad, Kottayi, Varode, Chembrakulam, Pulmelli, Mathur Agraharam and Parithipalli.	Work under progress. Target date 31st January 1955.
4 Extension of supply to Ottapalam, Lakkidi-Vaniankulam and other villages.	4,39,300 (1st year). 6,14,300 (2–10 years).	Ottapalam, Lakkidi, Vaniankulam and Shoranur.	Scheme contemplates taking supply from the Travancore-Cochin Government. Agreement with the Travancore Cochin State being negotiated.
5 Extension of supply to Meppadi-Vythiri-Kalpetta Panchayat Board.	3,36,050	Meppadi, Vythiri and Kalpetta.	Work proposed to be executed during current year.
6 Extension of supply to Badagara Quilandy, etc., villages.	14,27,500 (1st year). 19,40,800 (2–10 years).	Chombal, Mahe. Badagara, Iringal, Payyoli, Kadulur and Quilandy.	Will be taken up in the strict order of priority.
7 Extension of supply to houses at Pudupariyaram village, Palghat taluk.	13,500	Pudupariyaram ..	Will be executed before end of March 1955.
8 Extension of supply to industrial loads at Peruvamba.	8,890	Peruvamba	Do.
9 Extension of supply to houses and street lights, Parli, Palghat taluk.	15,020	Parli	Do.
10 Extension of supply to certain wells, Puduseri amsom, Palghat taluk.	13,050	Puduseri amsom ..	Do.

[20th December 1954

APPENDIX III.

[Vide answer to starred question No. 465 asked by Sri T. C. Narayanan Nambiar (on behalf of Sri P. K. Gopalakrishnan) the meeting of the Legislative Assembly held on 20th at December 1954, page 432 supra.]

	District Board.	Number of in valid votes.
1	Arcot, North	38,696
2	Arcot, South	35,201
3	Chingleput	20,568
4	Coimbatore	53,419
5	Kanara, South	37,045
6	Madurai	57,008
7	Malabar	62,088
8	Ramanathapuram	40,823
9	Salem	71,093
10	The Nilgiris	1,868
11	Tanjore	48,303
12	Tiruchirappalli	43,632
13	Tirunelveli	44,631

20th December 1954]

APPENDIX IV.

[Vide answer to starred question No. 467, asked by Sri V. Balakrishnan (on behalf of Sri D. K. Raju) at the meeting of the Legislative Assembly held on 20th December 1954, page 433 supra.]

Statement showing the co-operative institutions in Ramanathapuram district against which prosecutions were launched, etc.

Name of the Co-operative Institutions in Ramanathapuram district against which prosecutions were launched against the office-bearers since 1953 for defalcations and misappropriation of funds. (1)	Whether the cases ended in conviction or are still pending, etc. (2)
1 Kandramanickam Co-operative Society.	Ended in the conviction of one office bearer.
2 Seithur Co operative Society.	Under trial in court.
3 Santhayur Co-operative Society.	Ended in the discharge of the accused.
4 Dhanushkodi Labour contract Co-operative Society.	Treated as closed as the accused died before police investigation was completed.
5 Sathanendalpatti Co-operative Society.	Ended in the conviction of one office bearers.
6 Sathur Co-operative Marketing Society.	Under trial in court.
7 Ramasamipuram Co-operative Society.	Under police investigation.
8 Sivakasi Tenth Ward Co operative Society.	
9 Karaikudi Co-operative Stores, Limited.	
10 Achandavithan Ayan Nachiyar Koil Co-operative Stores. (The complaint in this case was filed by the Co-operative Stores itself against one of its office-bearers.)	Ended in conviction of one office-bearer.

TRUTH ALONE TRIUMPHS

[20th December 1954

Appendix V.

[Vide item IV on page 442 supra]

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954.

Composition of the Select Committee.

1 The Hon. Sri C. Subramaniam (*Chairman*).
2 The Hon. Sri M. A. Manickavelu Naicker.
3 Sri K. Rajaram.
4 Sri C. Rajam Ramaswami.
5 Sri M. D. Thyagaraja Pillai.
6 Sri K. Aranganathan.
7 Sri S. N. Somayajulu.
8 Sri A. Antony Peter.
9 Sri P. G. Manickam.
10 Sri K. Vinayakam.
11 Sri V. Govindaswami Naidu.
12 Sri K. M. Seethi Sahib.
13 Sri S. Swayamprakasam.
14 Sri A. Veloo.
15 Sri S. S. Kolkebail.
16 Sri M. Kalyanasundram.
17 Sri T. C. Narayanan Nambiar.

Secretariat.

Sri R. V. Krishna Ayyar, *Secretary.*

REPORT OF THE SELECT COMMITTEE ON THE MADRAS DRAMATIC PERFORMANCES BILL, 1954 (L.A. BILL No. 37 OF 1954).

To

The Honourable LEGISLATIVE ASSEMBLY,
Madras.

The Select Committee appointed to consider the Madras Dramatic Performances Bill, 1954 (L.A. Bill No. 37 of 1954), has the honour to make the following report.

2. The Bill was published in English in the *Fort St. George Gazette* Extraordinary, dated the 27th November 1954, and in Tamil, Telugu, Malayalam, Kannada and Hindustani in the Gazette, dated the 8th December 1954.

3. The Committee was appointed on the 8th December 1954.

4. The Committee met at the Ministers' Room, Government Estate, on the 11th December, the Committee Room at Fort St. George on the 13th and 15th December and the Ministers' Room, Government Estate, on the 16th December 1954.

20th December 1954]

5. At its meeting on 11th December 1954, the Committee decided to receive representations from persons interested in the Bill. Accordingly at its meeting on the 13th and 15th December 1954, it heard oral representations of several persons who appeared before it. It has also read the various written memoranda submitted to it by them and others.

6. The Select Committee has subjected the clauses of the Bill to a careful scrutiny and as a result of such scrutiny has made various important changes in them.

Clause 2.

Sub-clause (1) of this clause defines an objectionable performance. In this sub-clause, in items (i) and (ii), the words "or encourage" have been omitted, as they are somewhat indefinite and may unduly enlarge the scope of the items.

Item (iii) of the sub-clause has been omitted.

Items (v) and (vi).—These relate to promotion of sectional enmity or hatred or to insult of religion or religious beliefs. These items have been examined by the Select Committee from every point of view and it has finally resolved that item (v) should be restricted only to incitements to violence of one section of the people against another and that item (vi) should be confined to performances which are deliberately intended to offend any section of the people of India by insulting, profaning or blaspheming their religion or religious beliefs.

These changes have led to certain drafting changes in the sub-clause.

The Select Committee thinks that the explanations existing in clause 4 of the Bill should more appropriately be inserted under clause 2. As regards the explanations themselves, the Select Committee has deleted Explanation III which contains only a definition of 'sabotage'. As regards Explanation II, it is redrafted as follows:—

"In judging whether any performance is an objectionable performance, the effect of the play, pantomime or drama shall be considered as a whole."

Clause 3.

This clause has been omitted. But clause 12 has been so altered as to make it clear that where no action has been taken against an objectionable performance under this Bill, nothing in it shall bar a prosecution under any other relevant section of the Indian Penal Code or any other law.

Clause 4.

Sub-clause (2).—Notice under this sub-clause should be issued only against the organizers or other principal persons responsible for the performance and to the owner or keeper of the place of performance. It has altered the sub-clause accordingly.

Clause 5.

This clause refers to temporary prohibitions of objectionable performances. The Select Committee considers that it is not necessary to empower the State Government to pass orders of such prohibition. It also thinks that the officer empowered in this behalf should be no less a person than the Collector of a district in the mufassal and the Commissioner of Police in the City of Madras. As at present worded, the clause applies to any performance, whether of an objectionable nature or not. But the Select Committee has restricted it to objectionable performances of the nature specified in sub-clause (1) of clause 2.

Clauses 7 *and* 8.

The maximum penalty provided in these clauses has been reduced to imprisonment for three months or a fine of Rs. 1,000 or both. In clause 8, sub-clause (*b*) has been omitted, with the result that persons merely assisting an objectionable performance will not be liable to be prosecuted under this Bill. The clause (clause 8) has been split up into two so as to make its meaning clearer.

Clause 9.

In this clause for the words " the principal persons about to take part in such performance ", the words " the organizer or principal person responsible for the conduct of the performance " had been substituted.

Clause 10.

In this clause also, the words " District Collector in the mufassal and the Commissioner of Police in the City of Madras " have been substituted for the words " such officer as the State Government may empower in this behalf ".

This clause contains a provision for a temporary prohibition of a performance in the event of failure to furnish a copy or purport of a drama not less than fifteen days before the performance. The Select Committee has reduced the period of notice from fifteen days to seven days.

Clauses 11 *and* 15.

In these clauses the references to " orders passed under the Dramatic Performances Act, 1876 " have been omitted as unnecessary.

In clause 11, a provision has been added to the effect that every appeal under it to the High Court shall be disposed of by a Bench consisting of not less than two Judges.

20th December 1954]

Clause 14.

The Committee considers that the rules made under this clause must be placed on the tables of both the Houses of the Legislature. This clause has been amended accordingly.

A copy of the Bill as revised by the Select Committee is annexed.

The Committee considers that the changes made by it in the Bill are not of such importance as to necessitate the republication of the Bill.

The dissenting minutes given by certain members are annexed *.

GOVERNMENT ESTATE,
MOUNT ROAD, MADRAS,
16*th December* 1954.

C. SUBRAMANIAM,
Chairman.

ANNEXURE.

[*Note.*—**The changes made are side lined or underlined and the portions omitted are indicated by dots.]**

L.A. BILL No. 37 OF 1954.

A Bill to provide for the better control of public dramatic performances in the State of Madras.

WHEREAS it is expedient to provide for the better control of public dramatic performances in the State of Madras;

BE it enacted in the Fifth Year of the Republic of India as follows :—

1. *Short title and extent.*—(1) This Act may be called the Madras Dramatic Performances Act, 1954.

(2) It extends to the whole of the State of Madras.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(1) "objectionable performance" means any play, pantomime or other drama which is likely to—

(i) incite . . . any person to resort to violence or sabotage for the purpose of overthrowing or undermining the Government established by law in India or in any State thereof or its authority in any area ; or

(ii) incite . . . any person to commit murder, sabotage or any offence involving violence ; or

(iii) seduce any member of any of the armed forces of the Union or of the police forces from his allegiance or his duty, or prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force ; or

* Circulated separately.

[20th December 1954

(iv) incite any section of the citizens of India to acts of violence against any other section of the citizens of India; or which—

(v) is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class; or

(vi) is grossly indecent, or is scurrilous or obscene or intended for blackmail;

Explanation I.—A performance shall not be deemed to be objectionable merely because in the course thereof words are uttered, or signs or visible representations are made, expressing disapprobation or criticism of any law or of any policy or administrative action of the Government with a view to obtain its alteration or redress by lawful means.

Explanation II.—In judging whether any performance is an objectionable performance the play, pantomime or other drama shall be considered as a whole.

(2) " public place " means any building or enclosure, or any place in the open air and any pandal where the sides are not enclosed to which the public are admitted to witness a performance.

.

.

3. *Power to prohibit objectionable performances.*—(1) Whenever the State Government are satisfied that any play, pantomime or other drama performed or about to be performed in a public place is an objectionable performance, they may, by order stating the grounds on which they consider the performance objectionable, prohibit the performance.

(2) No order under sub-section (1) shall be passed without giving a reasonable opportunity to the organizer or other principal persons responsible for the conduct of the performance or to the owner or occupier of the public place in which such performance is intended to take place to show cause why the performance should not be prohibited.

(3) Every order made under sub-section (1) shall be published in the *Fort St. George Gazette.*

(4) Any order made under sub-section (1) may also be notified by proclamation and a written or printed notice thereof may be affixed at any place or places adopted for giving information of the order to the persons intending to take part in the performance so prohibited.

20th December 1954]

4. *Power to prohibit objectionable performances temporarily.*—(1) The Commissioner of Police in the Presidency town or the District Collector elsewhere may, if . . . he is of opinion that any play, pantomime or other drama performed or about to be performed being of the nature specified in section 2 is likely to lead to a breach of the peace, by order stating the grounds for such opinion, prohibit its performance.

(2) Subject to any order made by the Court on appeal under section 10, an order under this section shall remain in force for two months from the making thereof :

Provided that the Commissioner of Police or the District Collector, as the case may be, may, if . . . he is of opinion that the order should continue in force, by such further order or orders as . . . he may deem fit, extend the period aforesaid by such further period or periods not exceeding two months at a time as may be specified in such order or orders.

5. *Service of order of prohibition.*—A copy of the order made under section 3, sub-section (1), or under section 4, sub-section (1) or sub-section (2), may be served personally or in such other manner as may be prescribed by rules made under section 13, on the organisers or other principal persons responsible for the conduct of or any person about to take part in, the performance so prohibited or on the owner or occupier of the public place, in which such performance is intended to take place.

6. *Penalty for disobeying order.*—Any person on whom a copy of the order referred to in section 3 or section 4 is served and who does, or willingly permits, any act in disobedience . . . of such order, shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both.

7. *Penalty for disobeying prohibition.*—(1) Any person who, after the publication of an order under section 3, sub-section (3), or during the period when an order made under section 4, sub-section (1) or sub-section (2), is in force organises or is responsible for the conduct of, or takes part in, the performance prohibited thereby or . . . any performance substantially the same as the performance so prohibited, shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(2) Any person who being the owner or occupier, or having the use of any public place, opens, keeps or uses the same for any . . . performance prohibited under section 3 or section 4, or permits the same to be opened, kept or used for any such performance,

[20th December 1954

shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

8. *Power to call for information.*—(1) For the purpose of ascertaining the character of any intended play, pantomime or other drama, the State Government, or such officer as they may empower in this behalf, may, by order, require the organisers or other principal persons responsible for the conduct of, or other persons about to take part in such play, pantomime or other drama or the author, proprietor or printer of the play, pantomime or other drama about to be performed, or the owner or occupier of the place in which it is intended to be performed, to furnish such information as the State Government or such officer may think necessary.

(2) Every person so required shall be bound to furnish the information to the best of his ability within the time specified in such order and in case of contravention shall be deemed to have committed an offence under section 176 of the Indian Penal Code (Central Act XLV of 1860).

9. *Power to call for copy of purport of drama, etc.*—(1) If the State Government or in the Presidency town the Commissioner of Police or elsewhere the District Collector, have or has reason to believe that an objectionable dramatic performance is about to take place, they or he, as the case may be, may, by order, direct that no such dramatic performance shall take place in any public place within any area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is in pantomime, has been furnished, not less than seven days before the performance, to the State Government the Commissioner of Police or the District Collector aforesaid.

(2) A copy of any order made under sub-section (1) may be served on the owner or occupier of the public place in which such performance is intended to take place, and if thereafter he does or willingly permits, any act in disobedience of such order, he shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

10. *Appeal to High Court.*—(1) Any person aggrieved by an order under section 3, sub-section (1), or under section 4, sub-section (1) or sub-section (2), may, within sixty days of the publication of such order under section 3, sub-section (3), or, as the case may be, within sixty days of the date on which an order under section 4, sub-section (1) or sub-section (2), is made, ... prefer an appeal to the High Court; and upon such appeal, the High Court may pass such orders as it deems fit confirming, varying or reversing the order appealed from, and may pass such consequential or incidental orders as may be necessary.

(2) Every appeal shall be heard by a Bench of not less than two Judges.

11. *Saving of prosecutions under other laws.*—Where no order under section 3 or section 4 has been made in respect of any performance, nothing in this Act shall bar a prosecution under the Indian Penal Code (Central Act XLV of 1860) or any other law.

12. *Protection for acts done in good faith.*—No suit, prosecution or other legal proceeding shall be instituted against any authority or officer for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

13. *Power to make rules.*—(1) The State Government may, by notification in the *Fort St. George Gazette*, make rules to carry out the purposes of this Act.

(2) All rules made by the State Government under sub-section (1) shall, as soon as possible after they are made, be laid on the table of the Houses of the Legislature.

14. *Repeal of Central Act XIX of* 1876.—(1) The Dramatic Performances Act, 1876 (Central Act XIX of 1876), in so far as it applies to the State of Madras, is hereby repealed.

.

GOVERNMENT ESTATE,
MOUNT ROAD, MADRAS,
16*th December* 1954.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

PROCEEDINGS OF THE SELECT COMMITTEE ON THE MADRAS DRAMATIC PERFORMANCES BILL, 1954 (L.A. BILL NO. 37 OF 1954).

(*As approved by the Chairman.*)

The Select Committee met at 5-10 p.m. on Saturday, the 11th December 1954 in the Ministers' Room in Government Estate, Mount Road, Madras.

All the members of the Committee were present.

The Committee resolved to meet at 4 p.m. on Monday, the 13th December 1954 in the Committee Room, Fort St. George.

It also resolved to hear representations from persons interested in the Bill at that meeting. It was resolved that in addition to the Press Note, dated 8th December 1954, already inserted in the papers, another Press Note be inserted to the effect that the Select Committee will hear representations from persons interested in the Bill at 4 p.m. on the 13th instant.

At the request of Sri S. S. Kolkebail and a few other members, the Hon. the Finance Minister agreed to make available to members copies of the objectonable portions of the drama " Kimayanam ".

[20th December 1954

It was resolved that the Advocate-General and the Law Secretary be requested to be present at the meeting on 13th instant.

Monday the 13th December 1954.

The Select Committee met at 4 p.m. on 13th December 1954 in the Committee Room, Fort St. George, Madras.

The following members were present :—

1 The Hon. Sri C. Subramaniam (*Chairman*).
2 Sri K. Rajaram.
3 Sri C. R. Ramaswami.
4 Sri M. D. Thyagaraja Pillai.
5 Sri A. Antony Peter.
6 Sri P. G. Manickam.
7 Sri K. Vinayakam.
8 Sri V. Govandaswami Naidu.
9 Sri S. Swayamprakasam.
10 Sri A. Veloo.
11 Sri S. S. Kolkebail.
12 Sri M. Kalyanasundram.
13 Sri T. C. Narayanan Nambiar.

The Advocate-General, the Secretary to Government, Law Department, and the Secretary to the State Legislature were also present.

The Committee proceeded with the examination of witnesses and Sri T. K. Shanmugam and six others representing the South Indian Actors' Association, were first examined.

Sri T. K. Shanmugam read a printed memorandum in Tamil and submitted the same to the Committee.

Answering questions put by the Chairman, Sri Shanmugam said that the Bill was likely to affect many of the dramas. Even at the present time, there are some officers who harass the organizers of dramas. If further wide powers were given to them, they are likely to misuse them. Many of those in the dramatic profession did not know that there was already an Act to regulate the conduct of dramas. In our country the dramatic art had not progressed well enough. So, in many cases, there would be no script containing the dialogues, songs, etc. For instance, in the case of " Special Dramas ", which were conducted at short notice, there would be no script at all relating to dialogues, songs, etc. The actors would arrive only on the day of the drama and would act according to their skill. In such cases, the script could not be submitted beforehand, and if a script was insisted on, it would retard the progress of the dramas. However, if during an actual performance, a drama was found to contain objectionable matter, it could afterwards be stopped.

20th December 1954]

Sri Shanmugam said further that the impression one was likely to get while reading a script and the impression that one was likely to get on actually seeing the drama on the stage would be completely different. Therefore, the objectionable nature of a drama could not be decided by merely reading a script.

The Chairman explained that it was not the intention of the Government to retard the progress of the dramatic art. The Government were of the view that if the conduct of drama was not regulated in such a way that it did not harm society as a whole, the art itself was likely to languish. From that point of view, if it was considered by all that a particular drama contained certain objectionable matter which was likely to do considerable harm to society, should not the Government have the power to prohibit it?

The witness agreed that such dramas might be prohibited, but added that care should be taken in deciding what was objectionable matter and who was to decide whether a particular drama was objectionable or not.

The Chairman then invited the views of the witnesses on the different clauses of the Bill.

Clause 2—Definitions.

Item (i).—The witnesses agreed to this item.

Item (ii).—Sri Sahasranamam and Sri M. G. Ramachandran requested that the whole play should be taken into account and not particular statements in it. Moreover there may be historical dramas and fictitious stories which may seem to advocate revolt against despatic rule. Such dramas should not be banned as capable of being applied to the existing Government.

Item (iii).—The Chairman said that the Government were considering whether this item could be deleted and that he was not anxious to have it.

Item (iv).—The witness agreed to this item.

Item (v).—The Chairman asked the witnesses whether they are agreeable to the prohibition of such dramas which incited certain sections to acts of violence against other sections such as looting houses, murder, molestation of women and so on. The witnesses replied that if a drama were to incite to such acts of violence, it could be prohibited.

Item (vi).—The Chairman said that though there was freedom to do propaganda in favour or against religion, there was no need to slander certain religious characters whom the people held as Gods. He asked whether the witnesses would agree to the prohibition of dramas containing matter which intentionally and maliciously slandered the revered religious characters. The witnesses agreed to the prohibition of such dramas.

[20th December 1954

Clause 3.

The Chairman enquired whether it would be all right if it was said that action would be taken only against the organizers or persons who were principally responsible for the staging of an objectionable drama. The witnesses had no objection but doubted whether it was possible to find out who such persons were. They had no objection to a proviso that no action shall be taken without the previous sanction of the Government or the recommendation of the Advocate-General or the Public Prosecutor. But they were of the view that the clause might be omitted altogether.

The Chairman said that the necessity for the clause would be further examined.

Clause 5.

The witnesses agreed to vesting power to prohibit objectionable performances temporarily in an officer not below the rank of a District Magistrate.

Clause 7.

The witnesses suggested that the punishment provided was excessive and had no objection to the fixing a priod of three months' imprisonment and a fine not exceeding Rs. 1,000 as maximum.

Clause 10.

The witnesses agreed to the Government calling for a summary or purport of the drama.

Clause 11.

The witnesses pointed out that a provision for an appeal to the High Court might not be useful in several cases as the aggrieved party may not be able to go up to the High Court. The Chairman asked them whether they would agree if the Government themselves referred all orders passed either by the District Magistrate or by themselves to the High Court for its decision in all cases in which the parties concerned objected to the order and asked the Government to refer it to the High Court. The witnesses agreed to the latter course.

The witnesses then withdrew.

2. Sri M. R. Radha was next examined by the Committee.

Sri Radha said that there should not be any legislation to regulate the conduct of dramas. If any individual committed an offence, he might be punished after and for the offence but for his fault the whole dramatic profession should not be penalized. When people had freedom to speak anything they liked in a public platform, there should not be a ban against dramas only. It was not his intention to wound the feeling of anybody; his play " Ramayana " was based on Valmiki Ramayana and certain other

20th December 1954]

commentaries. One Thangaraju had written the script of his play. "I would not proceed with a drama which really wounded the religious feelings of any section of the people." If the Chairman were to say that his drama wounded such feelings, he was prepared to stop it and for this purpose there was no need for a legislation of this kind. He wanted that even the existing Act should be repealed.

The witness then withdrew.

3. Sri S. Guruswami, Editor, "Viduthalai", next gave evidence. He said: "This Bill should be dropped as there is already a provision in the Indian Penal Code. If this Bill must come into force, at least the sub-clauses (v) and (vi) of clause 2, relating to (1) wounding of religious feelings and (2) inciting class hatred must be omitted. If these provisions are allowed to remain there would be no scope for any social reform. Moreover when a public speaker is not required to submit a script of his speech beforehand, there is no point in asking for the submission of the script relating to a drama. This is clearly a discrimination between an actor and a speaker. I say that this Bill is superfluous."

The witness then withdrew.

4. Sri Raja Ram and Sri Adikesavalu were then examined. They said that those religious characters whom people considered as Gods should not be vilified in dramas, that such vilification was certain to lead to breaches of the peace and it was necessary to ban dramas of that kind. Nobody should be allowed to insult religion or religious feelings of others. If some people did not like a particular religion, it is open to them to keep quiet or go to other religions or preach atheism, if they wanted. But they should not be allowed to vilify Gods or outrage the religious feelings of other people and abuse scriptural heroes whom people consider as Gods.

5. Sri Sekkilar, Madras Law College Tamil Sangham: The witness said that the Sangham had passed a resolution to the effect that the bill was not necessary. He said that as there were already provisions in the Indian Penal Code itself to prevent objectionable performances, there was no need for the present Bill. He further said that some of the clauses of the present Bill offended the fundamental rights guaranteed under the Constitution and that the Bill punished offences committed even unintentionally. He would have no objection if the Bill penalized wilful and intentional offences.

6. Sri Loganathan, Dravida Kazhagam, Mylapore, was then examined. He said that there was much opposition to the present Bill. Certain incidents might be enacted in a drama as a piece of entertainment and nobody need take serious notice of such things. There were people who believed in God and there were also those who did not believe in God. Just as the Government had not objected to the enactment of dramas in which Rama and others

were treated as Gods, the Government should also not object to dramas wherein they were not treated as Gods. Or, all dramas having reference to Gods should be banned.

The witness then withdrew.

7. Sri R. M. Alagar presented to the Committee a memorandum signed by some people and which stated that the signatories to that memorandum were opposed to the present Bill.

The Chairman explained to Sri Kalyanasundram and Sri Swayamprakasam that when he put certain proposals before the witnesses, it was for the purpose of finding out how far they would go and that his questions should not be taken as Government proposals. He had not bound the members of the Select Committee to any particular view or proposal. It is for the members of the Select Committee to arrive at final decisions with regard to the various clauses.

It was agreed that the Committee should meet at 2-30 p.m. on Wednesday, the 15th December 1954 in the Committee Room, Fort St. George, and proceed with the consideration of the clauses. The Committee also agreed to interview for one hour any persons interested in the Bill who may appear to give evidence on that day.

The Committee then adjourned.

Wednesday the 15th December 1954.

The Select Committee met in the Committee Room, Fort St. George, at 2-30 p.m. on Wednesday, the 15th December 1954. The following Members were present :—

The Hon. Sri C. Subramaniam (*Chairman*).
The Hon. Sri M. A. Manickavelu Naicker.
Sri K. Rajaram.
Sri C. R. Ramaswami.
Sri M. D. Thyagaraja Pillai.
Sri K. Aranganathan.
Sri S. N. Somayajulu.
Sri A. Antony Peter.
Sri P. G. Manickam.
Sri S. Swayamprakasam.
Sri A. Veloo.
Sri S. S. Kolkebail.
Sri M. Kalyanasundram.
Sri T. C. Narayanan Nambiar.

The Advocate-General, the Secretary to Government, Law Department, and the Secretary to the State Legislature were also present.

Sri S. Venkatrangam of the Gem & Co. was examined. He stated that he was connected with the management of two temples in the city and several charitable institutions. He was of the view that the propagation of anti-religious sentiments in dramatic

20th December 1954]

performances should not be allowed as it was sure to wound the feelings of the religious minded sections of the people. This was especially the case in a country like India which was a religious minded country. Asked by the Chairman whether he had studied the Bill, the witness stated that he had generally been applying his mind to the Bill published in the papers but had not scrutinized the clauses.

The witness then withdrew.

The Committee then waited for more than half an hour afterwards but no other witnesses turned up. The Committee then took up the consideration of the Bill.

Sri S. Swayamprakasam brought to the notice of the Committee that Sri Audikesavalu's reply to his question about what the witness meant by the word " religion " did not find a place in the draft minutes of 13th December 1954. It was agreed that the following sentence be added on to the minutes in the appropriate place :—

" In reply to a question by Sri S. Swayamprakasam as to what he understood by the term ' religion ', the witness stated that by religion he meant ' truth, discipline and character '."

Before proceeding with the clauses, Sri M. Kalyanasundram moved " that the Select Committtee Report to the Assembly that the Bill be dropped ". After some discussion, this motion was negatived, three members voting for the motion, seven members voting against it and one member remaining neutral.

Clause 2.

Sub-clause (1), *item* (*i*).—Sri S. Swayamprakasam pointed out that the words " or in any State thereof " were unnecessary. After some discussion, it was resolved to leave the clause as it stood.

Sub-clause (1), *items* (*i*) *and* (*ii*).—The Committee agreed to delete the words " or encourage " as they were too indefinite and wide.

Sub-clause (1), *item* (*iii*).—The Chairman said that the Government had no objection to delete this item. It was accordingly deleted.

Sub-clause (1), *item* (*iv*).—Sri M. Kalyanasundram suggested that the words " or his duty " were too wide and that they might be omitted. Sri S. Swayamprakasam thought that the expression " prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force " was also too wide. It was pointed out that the words " seduce any member of any of the armed forces . . . force " were copied from corresponding sections in the Indian Penal Code. The Committee agreed to leave the clause as it stood.

[20th December 1954

Sub-clause (1), *item* (*v*).—The Committee agreed to substitute for this item the following :—

" incite any section of the people of India to acts of violence against any other section of the people of India; or ".

Sub-clause (1), *item* (*vi*).—At the instance of the Advocate-General, the following words were substituted for the existing item : " which is deliberately and maliciously intended to outrage the religious feelings of any class of the citizens of India by insulting the religion or any religious figure of that class ". There was some discussion about the words " religious figure ". It was resolved to keep the words " religious figure " until better words could be found.

Sub-clause (1), *item* (*vii*).—Approved.

It was resolved to take up the Explanations I to III of clause 4, at this stage, and to insert them here instead of in clause 4.

Sri M. Kalyanasundram pointed out that stories containing historical background having some expressions coming under any of the items of sub-clause (1) of clause 2 should not come under " objectionable performances ".

It was resolved to alter Explanation II as follows :—

" In judging whether any performance is an objectionable performance, the play, plantomime or drama shall be considered as a whole."

Explanation I was accepted.

Explanation III was deleted as unnecessary.

Clause 2 was to be redrafted in accordance with the above decisions.

Clause 3.

After some discussion it was decided to omit this clause and to alter clause 12 so as to render a prosecution under the Indian Penal Code or any other law possible in cases where no action has been taken under clauses 4 and 5 of this Bill.

Clause 4.

For the words " principal persons taking part in " in sub-clause (2) the words " organizer or other principal persons responsible for the conduct of " were substituted.

Sub-clauses (1) to (4) were approved.

Sri M. Kalyanasundram suggested that the orders passed under clause 4 by the State Government might be subject to a revision by an Advisory Board. After discussion he did not press the suggestion.

20th December 1954]

Clause 5.

The Committee agreed to delete the words " the State Government " in this clause.

The Chairman stated that it was the idea of the Government to empower District Collectors in the districts and the Commissioner of Police in the City of Madras to pass orders under this clause. The change was made in this clause and in the other clauses where the wording " such officer as they may empower in this behalf " occurred.

Sub-clause (1) of this clause was altered as follows :—

" The District Collector or in the City of Madras the Commissioner of Police may, if he is of opinion that any play, pantomime or other drama is performed or about to be performed being of the nature specified in section 2 is likely to lead to a breach of the peace, by order stating the grounds for such opinion, prohibit its performance."

Consequential verbal changes were made also in the proviso.

Clause 6.

The heading of the clause was changed as follows :—

" Service of notice of prohibition ".

Clauses 7 *and* 8.

It was agreed that the maximum punishment under this clause should be three months or a fine of one thousand rupees or both.

Clause 8.

In this clause, the Committee decided to delete sub-clause (*b*). It also decided that the clause should be split into two sub-clauses one relating to sub-clause (*a*) and another relating to sub-clause (*c*).

Clause 9.

It was decided to substitute the words, " the District Collector or in the City of Madras the Commissioner of Police " in the place of the words " or such officer as they may empower in this behalf ".

Clause 10.

The same changes were made in this clause also.

The Committee thought that the temporary prohibition of a drama for 15 days might cause hardship and so the words " seven days " were substituted for the words " fifteen days ".

[20th December 1954

Clause 11.

Sri S. S. Kolkebail suggested that aggrieved persons in the districts should be allowed to prefer an appeal to the Sessions Court and then, if necessary to the High Court. The Advocate-General pointed out that this would lead to different orders being passed by different courts and that it was better that there was an appeal to the High Court direct. It was decided to retain the clause as it stood. But it was agreed that the reference to orders under section 3 of the Dramatic Performance Act of 1876 might be omitted.

Clause 12.

The Committee approved of some such clause as the following clause to be substituted for the existing clause :

" Where no order has been made under section 4 or under section 5, nothing in this Act shall bar a prosecution under the Indian Penal Code or any other law in respect of any offence committed."

Clause 13.

The words, " District Collector or in the City of Madras the Commissioner of Police ", were substituted for the words " any authority or officer ".

Clause 14.

At the instance of the Chairman, it was resolved that a provision should be made for the placing of the rules on the table of the House.

Clause 15.

Sub-clause (1) approved.

Sub-clause (2) deleted.

The Committee decided to meet again at 4-30 p.m. the next day, at the Ministers' Room, Government Estate, Mount Road.

Thursday, the 16th December 1954.

The Select Committee met at 4-30 p.m. on Thursday, the 16th December 1954, in the Ministers' Room in Governmnt Esstate, Mount Road, Madras.

The following members were present :—

1 The Hon. Sri C. SUBRAMANIAM (*Chairman*).
2 The Hon. Sri M. A. MANICKAVELU NAICKER.
3 Sri K. RAJARAM.
4 Sri C. R. RAMASWAMI.
5 Sri M. D. THYAGARAJA PILLAI.
6 Sri K. ARANGANATHAN.

20th December 1954]

7 Sri S. N. Somayajulu.
8 Sri A. Antony Peter.
9 Sri P. G. Manickam.
10 Sri K. Vinayakam.
11 Sri V. Govindasami Naidu.
12 Sri S. Swayamprakasam.
13 Sri A. Veloo.
14 Sri S. S. Kolkebail.
15 Sri M. Kalyanasundram.
16 Sri T. C. Narayanan Nambiar.

The Advocate-General, the Secretary to the State Legislature and the Secretary to Government, Law Department, were also present.

Clause 2 (vi) was reopened. The Hon. the Chairman moved that for the words "deliberately and maliciously intended, etc.", the following words may be inserted :—

"deliberately intended to offend any section of the people of India by insulting, profaning or blaspheming their religion or religious beliefs."

Clause 11.

At the instance of the Advocate-General, the Committee inserted a new sub-clause to the effect that every appeal under this section shall be disposed of by a bench consisting of not less than two Judges.

Sri Vinayakam suggested that a special provision should be made exempting from the definition of an objectionable performance, dramas intended to bring about social reform. This was not accepted.

The Chairman was authorized to sign the report.

It was decided that the Bill need not be republished, and that dissenting minutes should be sent before 10 a.m. tomorrow (17th December 1954).

Government Estate,
Mount Road, Madras,
16*th December* 1954.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

THE MADRAS DRAMATIC PERFORMANCES BILL, 1954 (L.A. BILL No. 37 OF 1954).

DISSENTING MINUTES.

I

One cannot understand the feverish haste in which the Government wants to hustle through this Bill. In spite of the protests that are being made by the Members of the Opposition from the beginning that such a legislation should not be rushed through in the way in which it is being done, the Government is anxious to have it passed by this House before the end of this sitting.

[20th December 1954

It has not been made clear in the Statement of Objects and Reasons of the Bill, why this legislation is necessary at this stage. The only reason that has been mentioned therein is this: The Act of 1876 contains no provision for giving an opportunity to the parties affected to make their objections or enabling them to take the matter on appeal or revision before higher authority and the Government have, therefore, decided to re-enact its provisions and repeal the 1876 Act. But the Minister for Finance, who introduced the Bill, gave different reasons on the floor of the House, besides the one mentioned in the Bill. He said that there was a case filed by the Government against a dramatist who gave a performance at Salem which could not successfully be prosecuted for want of proper legislation. The House was not given the opportunity of knowing the nature of that case and in what way the Government felt the defective nature of the existing law to meet the situation. Hence the House is unable to feel the necessity of such a piece of legislation on the Statute Book.

If it be a question of making a provision of appeal, the existing provisions of 1876 Act with a new clause for the purpose would have fulfilled the purpose. If it be the other reason, the House must be satisfied or it must be in a position to say whether the new Bill is enough to satisfy the defect. Since the defect of the existing law and the purpose of the new Bill are not clearly stated, it has to be observed that the Government has not taken the House into their confidence.

The new Bill is not at all necessary. Section 2 of the Bill seeks to narrate six kinds of objectionable plays or dramas. The subsequent provisions of the Bill deal mainly with the procedural part of the object of the Bill. The offences which are mentioned in the six clauses of section 2 of the Bill are amply provided against in the Indian Penal Code. The punishment in the Indian Penal Code for the various provisions is a sufficient warning to any person who thinks of enacting any play which is likely to promote any offence mentioned therein. Further, preventive sections are amply provided in the Criminal Procedure Code.

In addition, to have such a piece of legislation means to effectively curtail the freedom of speech and expression given under Article 19 (1) (*a*) and to control the freedom to practise any profession or to carry on any occupation, trade or business guaranteed under Article 19 (1) (*g*) of the Constitution of India. The Indian society is full of caste prejudices and superstitious beliefs. Our Constitution aims at a casteless society with a view to have an effective welfare and secular State. No one can deny that dramas are powerful vehicle of propaganda. To achieve this object, namely, reformation of our society in a lawful way, the Government should help dramatists and play-writers to have social dramas and plays. Absence of positive provision to encourage such plays in the Bill is deplorable.

20th December 1954]

The profession of dramatists will greatly be affected adversely because of this Bill. The profession of dramatists is in the initial stage. Before enacting a play, the script has to be submitted for perusal either to the Government or to the Collector or to both as the case may be. If prohibited after perusal by either of these authorities, the affected party has to fight the matter in the High Court according to the provisions of the Bill. These provisions will cause not only delay but enormous expenditure. These provisions will sufficiently discourage any person from undertaking this profession or business as such. If this Bill is passed into law this will do more harm than good to the people of the State.

MADRAS,
17th December 1954.

K. VINAYAKAM.
A. VELOO.
S. SWAYAMPRAKASAM.

II

We are totally opposed to the recommendations of the majority of the Select Committee. At the very outset in the Select Committee we moved a resolution that the Committee recommend that the Bill be dropped. But the majority decided otherwise. The entire proceedings of the Committee have confirmed us in our view.

The evidence tendered before the Committee not only does not warrant their recommendation, but has brought out in clearest terms the pernicious character of the Bill.

The few changes in the draft Bill made in the Select Committee do not in any way mitigate the grave danger that the arming of the executive with powers of prohibition constitutes to the development of a free culture through the medium of the drama.

The Bill seeks to clothe the State Government and its officers with powers to prohibit what are termed as 'objectionable performances', which have been defined in the Bill as a drama or pantomime which is likely to—

(1) incite any person to resort to violence or sabotage for the purpose of overthrowing or undermining the Government established by law in India or in any State thereof or its authority in any area; or

(2) incite any person to commit murder, sabotage or any offence involving violence; or

(3) seduce any member of any of the armed forces of the Union or of the police forces from his allegiance or his duty, or prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force; or

(4) incite any section of the citizens of India to acts of violence against any other section of the citizens of India; or which

[20th December 1954

(5) is deliberately intended to outrage the religious feelings of any class of the citizens of India by insulting or blaspheming or profaning the religion or the religious beliefs of that class; or

(6) is grossly indecent, or is scurrilous or obscene or intended for blackmail.

It will be realized that under the existing Criminal Law, incitement to any of the above things, through any written, spoken or visible medium including the drama or the pantomime, is an offence. Any citizen guilty of such an offence is punishable under the existing law.

We are not now concerned with the question whether these should continue to be offences or not.

The question this Committee is confronted with is, whether in addition to the existing Criminal Law, the executive should be armed with a special preventive law, vesting very wide powers in the executive.

In any civilized country in the world, the law normally defines the crimes and prescribes the punishments for transgression.

This proceeds from the basic conception that the overwhelming majority of the people are law-abiding citizens, and the preservation of their rights is the fundamental task of the society and the Government.

But a preventive law clothes the Government with powers to prohibit the exercise of these fundamental rights by citizens, if the executive authority is satisfied that the exercise of these rights by certain person or persons would lead to the commission of a crime. Thus the subjective satisfaction by the executive is sufficient for depriving the citizen of his fundamental rights. The result is that the exercise of these rights is placed entirely at the mercy of the executive. This means that the rights of citizens become secondary and subordinate.

That is why, no civilized Government resorts to preventive law, except in cases of where there is a state of war, or extreme civil commotion.

The alien British rulers of our country, who were hated by the people and in their turn, were afraid of the people naturally had enacted a series of such pieces of preventive legislation. Various sections of the Criminal Procedure Code, the Criminal Tribes Act, the Rowlatt Act, the Defence of the Realm Act, the Criminal Law Amendment Act, etc., are examples of such legislation resorted to by the alien Government.

Any student of Modern Indian History in the British period knows that our people have written glorious pages of prolonged and determined struggle against those laws, as part of the struggle against British rule.

20th December 1954]

The present Bill seeks to negate these traditions, and seeks to take our country back to the dark days of British rule, when not the rights of our people but the protection of certain vested interests was held to be the supreme task of the Government.

No evidence of any grave emergency, which would justify the vesting of prohibitive powers in the executive—not even for a temporary period—has been placed before the Committee. Leave alone the question of a grave emergency, no evidence even that widespread use of the medium of the drama by large number of citizens in the State, for purposes of inciting people to crimes has been adduced before the Committee.

We now indicate broadly how the specific powers sought by the Government through this Bill, will have no other effect than that of hampering the growth of a free culture through the medium of drama which is one of the most ancient art forms that our genius has evolved.

Section 3 gives power to the State Government to absolutely prohibit a drama on the ground that it is ' objectionable performance '.

Although, such prohibition can be imposed only after giving a ' reasonable opportunity ' to the affected party, the decision rests with *the executive*.

The right of appeal against the decision of the Government under section 10 does not negate the fact that the individual's right has already been subjected to the mercy of the executive. What this means in the case of dramatic performances can easily be imagined. It is not an ordinary thing. It involves expenditure of tremendous amount of money, energy and resources of hundreds of individuals. After spending all these, they will find suddenly that all these have been wasted absolutely, simply because the executive Government has decided, in its judgment, that the performance is an objectionable one.

Section 4 of the Act empowers the Commissioner of Police, in the Presidency Town or the Collector, to prohibit a performance if he is of opinion that it is likely to be ' objectionable ' and to lead to a breach of peace.

Thus, the District Collectors—men who have never been known to set much store for the rights of our people, have been clothed with powers of prohibition. It is their opinion that is to rule supreme.

The proviso to this section further empowers the officer to go on extending it by every two months, thus permanently depriving the citizens of their fundamental rights.

[20th December 1954

Section 8 gives power to call for information from all persons. This information need not be only that relating to the script of the drama, but any information which the authority 'may deem necessary'. Any information that the citizen is not bound to disclose normally can be covered under this clause, failure to disclose which becomes an offence.

The provision for an appeal under section 10, notwithstanding, the pernicious effect of the provisions are patent. The Government or its officers, can always prohibit a drama at the first instance. Dramas are organized for particular occasions. Once the Government or an officer prohibits the performance on these occasions, a subsequent reversal of the order by the High Court, although it might be a vindication of the rights of the parties affected, cannot obliterate the fact that the exercise of the right of the citizens at the right moment has been prevented. And such prevention of the exercise of rights at appropriate and opportune occasions, is tantamount to a denial of the right.

Moreover, court procedure is not only a long process, taking lot of time, but also means lot of expenditure to the parties concerned. It is not every one that can have the resources to avail of this right. In practice, it is the poorer classes of artists against whom these provisions will be used.

All these provisions have the net effect that it is not for the executive to prove that any citizen has misused the rights he enjoys and call for appropriate action from the judicial organs, but the citizen will have to establish his *bona fides* first against the attacks of the executive before he can exercise his fundamental rights. This is a mockery of the very concept of fundamental rights.

The dramatic art cannot grow and develop with such crippling shackles.

Instead of the weapon of the drama being developed as a great democratic weapon for the people by free citizens, free from the fear of official interference, this will lead to the emergence of a set of servile people, in whose hands the art will degenerate into a few command performances suited to the interests of the ruling class. The Bill is a great blow to democracy.

The fact that without any evidence of an emergency, without any evidence of the need for prohibition, the Government have come forward to demand such a sweeping power and prohibition as a permanent measure on the Statute Book is the clearest proof of the motives of the Government. It is clear that the Government is afraid of the growing criticism of its policies and of the interests which it seeks to protect. It knows that the drama is increasingly becoming a powerful weapon for exposing the Government and the most rotten and parasitic classes of Indian society against whom the anger of the down-trodden and exploited masses are mounting in strength.

20th December 1954]

It is exactly to prevent this growth, that the Bill has been brought forward. In no other way can the demand for these sweeping powers be explained.

There are enough powers in the existing Criminal Law to prosecute individuals who commit any offence, including that of outrage on the religious sentiments of any section of the people.

The executive can never be entrusted with such sweeping powers as are demanded by this Bill, which virtually mortgages the fundamental rights of citizens to the tender mercy of a bureaucracy.

We are therefore unable to recommend this Bill to the Legislature. On the other hand, we are convinced that the interests of our people, the glorious traditions that generations of our people have created, and the interest of a free and democratic culture all demand that the Legislature should reject the Bill, as recommended by the majority of the Select Committee.

MADRAS, M. KALYANASUNDRAM.
17*th December* 1954. T. C. NARAYANAN NAMBIAR.

MADRAS, R. V. KRISHNA AYYAR,
17*th December* 1954. *Secretary to the State Legislature.*

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS
TAMIL NADU LEGISLATIVE ASSEMBLY

தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS